

ISSUING DEPARTMENT INPUT DOCUMENT

CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION

New
 OTR
 Sole Source
 Bid Waiver
 Emergency
 Previous Contract/Project No. RFP-00572
Contract
 Re-Bid
 Other – _____
 LIVING WAGE APPLIES: YES
 NO

Requisition No./Project No.: RFP-02310
 TERM OF CONTRACT 5 YEAR(S) WITH _____ YEAR(S) OTR

Requisition /Project Title: Polygraph Examination Services

Description:
 See attached Scope

Issuing Department: MDCR
 Contact Person: Zuleika Davidson
 Phone: 786-263-5914

Estimate Cost/Value: 1,425,000
 GENERAL FEDERAL OTHER
 Funding Source: GENERAL
 FEDERAL
 OTHER

ANALYSIS

Commodity Codes:	<u>99070</u>			
Contract/Project History of previous purchases three (3) years Check here <input type="checkbox"/> if this is a new contract/purchase with no previous history.				
	<u>EXISTING</u>	<u>2ND YEAR</u>	<u>3RD YEAR</u>	
Contractor:				
Small Business Enterprise:				
Contract Value:				
Comments:				
Continued on another page (s): <input type="checkbox"/> YES <input type="checkbox"/> NO				

RECOMMENDATIONS

	Set-Aside	Subcontractor Goal	Bid Preference	Selection Factor
SBE				

Basis of Recommendation:

Signed: _____
 Date sent to SBD: _____

	Date returned to SPD:	
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Rev. 072518

2.0 SCOPE OF SERVICES

2.1 **Background**

The County utilizes the polygraph examination services as an integral component of the background and investigative procedure of the pre-employment selection process. MDCR administers this contract. Employees of MDCR, and other departments hold positions of trust in the law enforcement community and have access to sensitive and protected information. It is imperative that applicants considered for employment within these various departments are above reproach. The County is responsible for conducting background investigations on potential employees to ensure that only the most qualified applicants are hired into positions of trust. The purpose of these Services is to evaluate whether said applicants are acceptable candidates.

2.2 **Sustainable Procurement Practices**

The County is committed to responsible stewardship of resources and to demonstrating leadership in sustainable business practices. Accordingly, the County has adopted sustainability policies which are incorporated into this Solicitation. The County will continue to explore and pursue sustainable procurement, development and business practices that: (a) reduce greenhouse gases; (b) foster and integrate supplier small business opportunities; (c) support safe and fair labor practices and ethical behavior throughout the supply chain, and (d) maximize fiscally responsible “high value, high impact” actions.

2.3 **Services to be Provided**

The selected Proposer(s) shall preform the following services:

2.3.1 Conduct, as further defined herein, pre-employment polygraph examinations, specific area of inquiry polygraph examinations, and re-examination of applicants with inconclusive results, in accordance with the County’s established policies and procedures for the pre-employment selection process. The examinations will include pre-test interview questions, which will include, but not be limited to, the following areas, or a subset thereof, as established by the selected Proposer(s) and agreed to by the County’s Project Manager:

- a. Application Background Information
- b. Falsification of Application
- c. Education/Employment History
- d. Residency History
- e. Fired/Forced to Resign
- f. Arrests/Convictions
- g. Driving Record
- h. Undetected/Involvement in Crime
- i. Use of Drugs
- j. Sale/Purchase of Narcotics
- k. Use of Marijuana
- l. Theft from Employers
- m. Gambling
- n. Excessive Debt
- o. Ulterior Motives
- p. Application to Other Governmental Agencies
- q. Prior Polygraph Exam(s) Taken
- r. Additional Information
- s. Gang Affiliation
- t. Social Media Affiliation

- u. Military Service/Military Discipline(s)/Reason for leaving Military
 - v. Inmate Association
- 2.3.2 Design the pre-employment polygraph examination format to be utilized. The County reserves the right to review and approve examination format prior to its implementation. The County further reserves the right to modify examination format at any time during the term of any agreement issued as a result of this solicitation.
- 2.3.3 Conduct all polygraph examination services between the hours of 8:00 a.m. - 5:00 p.m., Monday through Friday. The County may request that services be conducted outside of these hours (i.e., evening and weekend hours), when deemed necessary by the County. Polygraph examinations must be authorized by the County's Project Manager prior to applicants being contacted and scheduled for examinations. Selected Proposer(s) shall require applicants to provide a County issued examination notification letter and provide a valid drivers' license, United States Passport, or other valid government issued identification with picture from each applicant, prior to examination. A digital copy of the applicant's identification shall be maintained by the Proposer.
- 2.3.4 Administer a second and third chart run, as deemed necessary by selected Proposer(s), in support of examiner's findings. Admissions by applicant relating to a deception area shall be provided in writing, to the selected Proposer. The selected Proposer(s) shall attach the applicant's written admission statement to the comprehensive written report for submission to the County. Applicant's refusal to provide a written admission to a deception area identified by the selected Proposer(s) shall also be noted in the written report, as applicable.
- 2.3.5 Provide technical assistance in support of the services listed herein, to include consultation with the County's Project Manager, as deemed necessary by the County. The selected Proposer(s) shall be available for telephone consultations, meetings, etc. between the hours of 8:00 a.m. – 5:00 p.m., Monday through Friday. The County reserves the right to contact selected Proposer(s) during evening hours (after 5:00 p.m.) and/or weekends.
- 2.3.6 Conduct repeat pre-employment polygraph examination as directed and scheduled by the County. Prior to administering the repeat examination, the selected Proposer(s) shall check to determine if scheduled applicant was previously administered a polygraph examination within the past 60 days and notify the County of any found. The County will determine if re-testing is required. If the County determines that the applicant is not to be retested, then a copy of the previous test results shall be submitted to the County at no additional cost.
- 2.3.7 Administer specific area of inquiry polygraph examination to applicants identified by the County. The County will provide the selected Proposer(s) with a list of applicants who have been notified of, and scheduled for, a specific area of inquiry polygraph examination. The applicant listing will also contain the specific area(s) of concern that the selected Proposer(s) shall explore in detail with each applicant. The County reserves the right to approve the examination questions to be utilized in the specific area of inquiry polygraph prior to each examination. Selected Proposer(s) shall ensure that the examiner who performed the pre-employment polygraph examination shall not perform the specific area of inquiry polygraph examination, unless specifically requested by the County.
- 2.3.8 Provide expert testimony in support of examinations at depositions, pre-trial meetings and civil administrative hearings which may be required as a result of services provided.
- 2.3.9 Provide a quality control mechanism for determining if any County scheduled applicant or non-scheduled examinee requesting testing for the purpose of an employment appeal or dispute, has

been previously administered a polygraph examination by the selected Proposer. The selected Proposer(s) shall refrain from administering any examination, prior to consultation with, and guidance from, the County.

2.3.10 Maintain confidentiality on all aspects of the services rendered.

2.3.11 Perform quality assurance level reviews in accordance with industry recommendations and acceptable standards of practice.

2.4 Polygraph Examiner Background Screening

The selected Proposer(s) shall comply with the following tasks in providing the Services:

Conduct an annual criminal background check on each employee providing Services listed herein. Prior to commencing work, selected Proposer(s) shall furnish to County's Project Manager proof of background screening completed on selected Proposers' employees performing Services. Thereafter, information on background screenings conducted shall be provided to the County's Project Manager annually, and upon request. The County reserves the right to reject any proposed employee based on background check information and/or in accordance with Article 12 of the Agreement entitled Employees of the Contractor.

2.5 Administrative and Related Services

The following administrative services shall be performed by the selected Proposer(s):

2.5.1 Designate a Project Manager who shall serve as liaison between the County and the selected Proposer on all matters relating to the Services listed herein.

2.5.2 Ensure the maintenance and calibration of the equipment utilized to render the Services listed herein, as required by manufacturing specifications and industry recommendations. Service records depicting equipment calibration and service maintenance performed shall be preserved for the duration of any contract issued as a result of this solicitation and shall be provided to the County within 48 hours of request.

The selected Proposer(s) shall have back-up testing equipment available in order to perform the Services listed herein without interruptions resulting from equipment failure or malfunction.

2.5.3 Utilize the most technologically advanced polygraph examination equipment, but no less than analog equipment to include the following measurement components:

- i. Thoracic respiration
- ii. Abdominal respiration
- iii. Electro dermal
- iv. Cardio

The County prefers that the selected Proposer(s) utilize an activity monitor (motion sensor) when conducting polygraph examination services.

2.5.4 Ensure each applicant is addressed in a professional manner at all times during required testing.

2.5.5 Provide to, and secure from, each applicant a signed "Waiver Form" prior to conducting any polygraph examination. The selected Proposer(s) shall not administer the polygraph examination to any applicant that refuses to sign Waiver Form. The selected Proposer(s) shall advise the County's respective Project Manager of applicant's refusal.

- 2.5.6 Maintain all applicants' records, to include name, date of examination, examiner's notes and specific examination(s) administered. Such information shall be available at the facility where examination was conducted for review by the County at any time. In addition, the selected Proposer(s) shall maintain a complete file, in an industry-standard PDF format, of each applicant for at least five (5) years from the date of the completed polygraph examination. The selected Proposer(s) shall make such records available to the County via electronic mail within two (2) business days of the request from the County.
- 2.5.7 Facility(ies) utilized in performing the services listed herein shall be of sufficient size to accommodate the number of applicants scheduled at any one time and include adequate waiting and parking areas. The facility's examination rooms shall be isolated from high passage areas, promoting a quiet environment with minimal distractions during testing.
- 2.5.8 Facility(ies) where polygraph examinations will be performed should be located within Miami-Dade County, Broward County, or other nearby location, to properly service the contract.

The County reserves the right to conduct unannounced visits of the selected Proposer's facility(ies) performing the Services to monitor compliance with, and enforcement of, requirements herein.

2.6 Written Reports and Reporting Requirements

2.6.1 Examination Results

The selected Proposer(s) shall submit to the County's Project Manager a fact based written comprehensive report, in an industry standard PDF format, by electronic mail within five (5) business days after the completion of each polygraph examination. The selected Proposer(s) may submit the report at any time before the five (5) business days to the County.

The report shall include, but not be limited to, the following information for each applicant:

- i. Full name, address and telephone number;
- ii. Last four digits of Social Security number, date and place of birth;
- iii. Examination date; and beginning and ending time of polygraph examination;
- iv. Examiner's name and signature;
- v. Copy of applicant's signed Waiver Form; and
- vi. Polygraph test results to include administration of second and third chart runs, as applicable.

2.6.2 Statistical Reports

The selected Proposer(s) shall also provide monthly and annual statistical reports at the request of the County. Reports shall be in the format, and contain the data fields, requested by the County. Reports shall include, but not be limited to: a) the number of applicants tested for pre-employment, repeat examination, specific area of inquiry, and no show; b) the number of applicants tested by gender, race and ethnicity; and c) the results for all applicants tested.

2.7 Work Order Assignments

When the need arises, the County will prepare a Work Order assignment and provide the selected Proposer(s) with information regarding the anticipated applicants to be examined. All work to be performed under any contract, as a result of this Solicitation, requires that the County issue a Work Order. The selected Proposer(s) shall contact the County within twenty-four (24) hours of receipt of Work Order assignment to acknowledge

and discuss specifics of examination requests. The County, at its sole discretion, may modify, suspend, or cancel the Work Order at any time and shall only pay for work actually performed by the selected Proposer(s).

The Selected Proposer(s) shall administer pre-employment polygraph examinations to all applicants, as assigned through County issued Work Orders, within ten (10) working days from receipt of Work Order, unless otherwise approved by the County.

Upon establishment of a Work Order, a "No Show" is defined as: 1) applicant who fails to attend scheduled examination within 30 minutes of appointment time, **and** the County fails to cancel the appointment by noon on the previous business day **or**, 2) the County fails to provide a replacement applicant for examination within 30 minutes of the scheduled examination time. The County reserves the right to fill any scheduled examination time by providing a replacement applicant at any time up to 30 minutes after the scheduled appointment time. The Proposer shall not charge the County a "No Show" fee.

2.8 Additional Services

If services are required which are related to, but not included in the Scope of Services, the County may request the Selected Proposer(s) to provide additional Services. The County reserves the right to award additional similar services for, and updates to, the previously awarded Scope of Work.