

KENTUCKY HOUSING CORPORATION

REQUEST FOR PROPOSALS (RFP)

Business Continuity Planning Consultant

Kentucky Housing Corporation (KHC) is soliciting responses from Certified Business Continuity Professionals (CBCP) to assist KHC's Business Continuity Planning (BCP) Committee in the revision of the Corporation's business continuity plan.

KHC is the state housing finance agency and a political subdivision of the Commonwealth of Kentucky. Created by the General Assembly in 1972, KHC's mission is to invest in quality housing solutions for families and communities across Kentucky. KHC is a self-supporting, public corporation of the Commonwealth of Kentucky. KHC is a quasi-government agency, administratively attached to the Finance and Administration Cabinet. However, KHC receives no direct funding from State tax revenues.

Services Requested

- A. Develop a business continuity plan according to current best practices that will enable continued operation of KHC's mission critical business processes in the event of emergency.
- B. Certify that KHC's business continuity plan meets HUD requirements for Public Housing Agencies serving as Performance-Based Contract Administrators.

Eligible Respondents Must Possess

- A. Valid and current licenses and certifications necessary to comply with the scope of work and as regulated by all applicable state, county and/or local laws and ordinances.
- B. Experience in providing consulting services in the development of business continuity plans
- C. Certified Business Continuity Professionals (CBCP) certification granted by the Disaster Recovery Institute International (DRI).

Scope of Work

Provide consultation and guidance to KHC for the following Business Continuity Activities:

- A. Attend BCP Committee meetings, either in person or via conference call;
- B. Assist BCP Committee in the development of a business continuity plan that is in accordance with current best practices and will enable continued operation of KHC's mission critical business processes in the event of emergency;
- C. Develop and maintain procedures for testing the effectiveness of the business continuity plan; and

- D. Certify as a CBCP credentialed individual that the business continuity plan meets HUD requirements for Public Housing Agencies serving as Performance-Based Contract Administrators by signing off on KHC's business continuity plan.

Information Required to be Provided by Respondent

Each response to the RFP must include and address all items listed in the Scope of Work and as follows. Failure to comply with the requirements of the RFP will result in the Respondent's response not being evaluated by KHC.

Respondent must submit a signed Proposal to KHC addressing each of the following:

- A. A description of Respondent's proposed solution including a listing of all components of a business continuity plan meeting the stated objectives listed in the Scope of Work (above). All recommended actions that are not outlined in the scope of work, but may be beneficial to the project, should be discussed. Respondent should also discuss its recommended strategy for future revisions to the business continuity plan to ensure KHC's continued ability to meet its business needs as well as HUD requirements for business continuity.
- B. A project plan of Respondent's methodology for development of a business continuity plan that will:
- Ensure continued performance of essential functions.
 - Minimize damage and loss to critical processes.
 - Ensure succession if corporate leadership is disrupted.
 - Reduce or mitigate disruptions to operations.
 - Ensure facilities for performance of essential functions.
 - Protect essential facilities and resources.
 - Achieve a timely and orderly recovery.
 - Resume full service to customers.
 - Maintain a test, training, and exercise program.
- C. A description of the proposed approach and timing for completing the Services requested.
- D. Information regarding your company's history in the field of business continuity planning.
- E. Description of the professional composition of the company and a list of relevant employee's background, credentials and qualifications. Also include an overview of your support center, including hours of operation, location, etc.
- F. Information concerning projects of similar scope with two existing customers, preferably a municipal government or company with a similar organizational structure as KHC. Please also provide customer contact information for reference purposes.
- G. A summary of the firm/consultant, how long it has been in business, its overall practice, names of the principals, etc.
- H. An itemized cost proposal for the Services requested, including proposed rate (either lump sum or hourly rate) travel costs, etc.

- I. Indicate the name, telephone number and email address of the individual who will be the principal contact for KHC.
- J. Copies of CBCP certification granted by the Disaster Recovery Institute International (DRI).
- K. Copies of current licenses and certifications necessary to comply with the scope of work and as regulated by all applicable state, county and/or local laws and ordinances.
- L. Acknowledgement that all work products resulting from any contractual arrangement will belong to KHC and may not be copyrighted nor password-protected by the respondent.
- M. Name of professional insurance carrier and amount of coverage carried.
- N. In order for KHC to enter into a contract with the selected entity, if applicable, the entity must be active and in good standing with the Secretary of State's office in Kentucky. If selected, Respondent must provide evidence that Respondent has registered and is qualified to do business in the Commonwealth of Kentucky. For more information regarding registration requirements see <http://www.sos.ky.gov>.
- O. Include copies, if relevant, of business certification status, in order to obtain bonus scoring points. KHC accepts minority-owned and woman-owned business enterprise (MBE/WBE) certification status from the Kentucky Finance and Administration Cabinet (<http://mwbe.ky.gov/Pages/default.aspx>); disadvantaged business enterprise (DBE) certification from the Kentucky Transportation Cabinet (<http://transportation.ky.gov/civil-rights-and-small-business-development/Pages/default.aspx>); and veteran-owned small business and service-disabled veteran-owned small business (VOSB/SDVOSB) from the U.S. Dept. of Veteran's Affairs (<http://www.va.gov/osdbu/verification/>).
- P. **Acknowledgement** - As part of its response to the RFP, Respondent must i) acknowledge that it is aware that its response and all materials submitted constitute public records within the meaning of the Kentucky Open Records Act (Kentucky Revised Statutes (KRS) §§ 61.870 to 61.884). Respondent must also ii) acknowledge and agree, that unless such material is segregated and clearly designated by Respondent in its response as eligible for an exemption pursuant to KRS § 61.878, KHC will comply with valid open record requests and make the response material available for inspection and/or copying. Respondent must further iii) acknowledge and agree that even material which is so segregated and designated by the Respondent may become subject to release by KHC upon a successful challenge by a member of the public.
- Q. Submit a Completed "Certification of Independent Contractor" form (provided below).

Each response to this RFP must include and address each of the above items. Failure to comply with the requirements of this RFP will result in the response not being evaluated.

Questions Regarding the RFP

Any questions posed by Respondents prior to the response deadline must be submitted in writing or by electronic mail to: Jon Davidson, Kentucky Housing Corporation, jdavidson@kyhousing.org, or 1231 Louisville Road, Frankfort, KY 40601. Mr. Davidson will determine whether the response could have a material effect on the Respondent's proposal. If

so, both the question and response will be posted on KHC's website for all potential Respondents to view. If not, the response will be made only to the questioner. In either case, the file will be documented to reflect the result.

Selection Process

A review committee will be appointed to review and evaluate proposal submissions and assign a numerical evaluation to each proposal submitted. Based upon the outcome of the numerical evaluation, oral interviews may be conducted with Respondent(s) of the highest-ranking proposals. Following these procedures, staff recommendations will be presented to KHC's Board of Directors for their consideration and final approval.

Relative Importance of Particular Qualifications

Proposals will be evaluated pursuant to the following evaluation criteria:

Overall Qualifications, Expertise, Project Methodology and Solutions	≤ 65 points
Ability to Perform Services	≤ 25 points
Proposed Fee and Expenses	≤ 10 points
MBE/WBE/DBE/VOSB/SDVOSB Certification	5 Bonus Pts

Review committee members and RFP Respondents shall have no contact, verbal or written, regarding the RFP prior to the interview phase of the process except as provided above.

General Information

- A. The Contract may be subject to annual renewal, if needed, as determined by KHC.
- B. **Funding Out Provision:** KHC may terminate any contract if funds are not appropriated or are not otherwise available for the purpose of making payments without incurring any obligation for payment after the date of termination, regardless of the terms of the contract. KHC will provide Respondent thirty (30) calendar days' written notice of termination of the contract.
- C. **Reduction in Contract Worker Hours:** The Kentucky General Assembly may allow for a reduction in contract worker hours in conjunction with a budget balancing measure for some professional and non-professional service contracts. If under such authority KHC is required by Executive Order or otherwise to reduce contract hours, the contract will be reduced by the amount specified in that document.
- D. **Access to Records:** KHC must comply with the provisions of KRS § 45A.695 "Access to contractor's books, documents, papers, records, or other evidence directly pertinent to the contract." KHC, the Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to any contract for the purpose of financial audit or program review. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS § 61.878(1)(c). Respondent must

recognize that any books, documents, papers, records, or other evidence, received during a financial audit or program review may be subject to the Kentucky Open Records Act.

Reservation of Rights

KHC reserves the right to:

- A. Request necessary amendments to the RFP;
- B. Reject any proposal not meeting mandatory requirements;
- C. Reject all proposals, seek new proposals and/or cancel the RFP according to the best interests of KHC; and
- D. Make investigations regarding qualifications of any or all Respondents as KHC deems necessary.

In no event shall any obligations of any kind be enforceable against KHC unless and until a written agreement is entered into.

Liability

KHC shall not be liable for:

- A. Any costs incurred by the Respondent in the preparation of any proposal;
- B. Any costs incurred by the Respondent in connection with any interview or negotiation relating to this RFP (i.e., travel, accommodations, etc.); and/or
- C. Any disclosure, whether by negligence or otherwise, of any material or information in any form submitted by any Respondent in response to this RFP.

Submission of Proposals

Proposals must be submitted electronically, preferably in a single-document PDF, via email to:

Jon Davidson
Managing Director
Business Logistics
Email: lodavis@kyhousing.org

Proposals must be received by 5:00 p.m., ET, on Tuesday, December 20, 2016.

NOTE: PROPOSALS RECEIVED AFTER THE STATED DEADLINE WILL NOT BE ACCEPTED.

**KENTUCKY HOUSING CORPORATION
CERTIFICATION OF INDEPENDENT CONTRACTOR**

I hereby certify that the information contained in these qualifications and any attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I acknowledge that I have read and understood the requirements and provisions of the RFP.

I _____ am the _____ of
(Type name of signatory authority) (Title or position)

the corporation, partnership, association, sole proprietor or other entity named as company and respondent herein, and I am legally authorized to sign this and submit it to Kentucky Housing Corporation on behalf of said organization.

Signed: _____ Date: _____

Name: _____ Title: _____

Firm name: _____

Violation of tax and employment laws:

KRS 45A.485 requires the contractor to reveal to the Commonwealth, prior to the award of a contract, any final determination of a violation by the contractor within the previous five (5) year period of the provisions of KRS chapters 136, 139, 141, 337, 338, 341, and 342. These statutes relate to the state sales and use tax, corporate and utility tax, income tax, wages and hours laws, occupational safety and health laws, unemployment insurance laws, and workers compensation insurance laws, respectively.

To comply with the provisions of KRS 45A.485, the contractor shall report any such final determination(s) of violation(s) to the Commonwealth by providing the following information regarding the final determination(s): the KRS violated, the date of the final determination, and the state agency which issued the final determination.

KRS 45A.485 also provides that, for the duration of any contract, the contractor shall be in continuous compliance with the provisions of those statutes which apply to the contractor's operations, and that the contractor's failure to reveal a final determination as described above or failure to comply with the above statutes for the duration of the contract, shall be grounds for the Commonwealth's cancellation of the contract.

Contractor must check one:

_____ The contractor has not violated any of the provisions of the above statutes within the previous five (5) year period.

_____ The contractor has violated the provisions of one or more of the above statutes within the previous five (5) year period and has revealed such final determination(s) of violation(s). A list of such determination(s) is attached.