

**GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES**

**Request for Proposal – Negotiation
Professional Services**

To:
.....

Date: August 13, 2015

RFP No. 023-2015(P)

Pursuant to 31 V.I.C. 239 (a) (4) and Rules and Regulations thereunder issued, the Government of the Virgin Islands, Department of Property and Procurement will receive proposals for the work described below. Proposals will be received until **Wednesday, September 16, 2015 @ 4:00 o'clock p.m.**

DESCRIPTION OF WORK AND PROJECT:

The Government of the Virgin Islands, Office of the Lieutenant Governor is requesting proposals from Qualified firm or individual(s) to provide Computerization of Corporation and Trademarks Division through web access.

SCOPE OF SERVICES: ATTACHED

NEGOTIATED PROCEDURES:

The Commissioner of the Department of Property and Procurement will appoint Selection Committee to assist in the evaluation and selection of the Contractor. Accordingly current data on qualifications and performance should be submitted with proposals. After reviewing the qualifications and proposals the Committee will select for discussions from the firm/s or person/s considered not less than three (3), in order of preference, **deemed to be most highly qualified to provide the services herein required.** Discussions will be conducted successively and severally with the firms or persons so selected the anticipated concepts and the relative utility alternative methods of approach for furnishing the services hereunder.

FACTORS FOR DISCUSSIONS

Selection criteria will include (i) Professional qualification, registration and general reputation of the principals of the firm or person; (ii) the extent to which the firm or person specializes in or has designed projects of a type and scope similar to the hereunder; (iii) familiarity with the area in which the project is to be located; (iv) capability of meeting design schedules; and (v) quality of performance on other projects.

NEGOTIATION:

The Selection Committee shall recommend to the Commissioner **the highest qualified firm or person with whom a contract shall be negotiated.** The Commissioner, with the assistance of the Selection Committee, shall attempt to negotiate a contract with such firm or person.

Should the Commissioner be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price he determines to be fair and reasonable to the Government, negotiations with that firm will be formally terminated. Negotiations will then be commenced with the second most qualified, the third most qualified or additional firms, in order to preference and their competence and qualification, and shall continue until an agreement is reached.

Randolph N. Bennett
Commissioner Designee of Property and Procurement

INSTRUCTION TO PROPOSALS

A. NOTICE

RFP-023-2015(P) Qualified firm or individual(s) to provide Computerization of Corporations and Trademarks Division through web access.

Information provided in the scope of work is to be used only for purposes of preparing a proposal. It is further expected that each bidder will read the scope of work with care, for failure to meet certain specified conditions may invalidate the proposal.

The Government of the Virgin Islands, herein after referred to as GVI, reserves the right to reject any or all proposals or any portion thereof and to accept the proposal deemed most advantageous to GVI. Price shall not be the sole criterion of awarding this project. Scope and quality of work proposed and the ability of the bidder to complete this type of project shall also be considered.

Applicants are requested to submit proposals on the basis of the scope of work. Alternative proposals recommending new features and technology other than that requested in the scope of work will receive consideration providing such new features and/or technology is clearly explained. Any exceptions to the requirements requested herein must be clearly noted in writing and be included as part of the proposal.

The information contained herein is believed to be accurate, but is not to be considered in any way as a warranty. Request for additional information clarifying the Scope of Work should be directed in writing to **Deputy Commissioner of Procurement, Ms. Latisha Blyden**, at latisha.blyden@dpp.vi.gov. All requests will be forwarded to **Mr. Delbert Hewitt, Chief of Staff, Office of the Lieutenant Governor**.

B. STATEMENT OF PURPOSE

RFP-023-2015(P) Qualified firm or individual(s) to provide Computerization of Corporations and Trademarks Division through web access.

C. PROPOSE SCOPE OF WORK

See Attached Scope of Work

D. TIMETABLE

1. Last day for requests or written clarifications will be **Wednesday, September 2, 2015 @ 4:00 p.m.**
2. Proposals will be accepted at the Department of Property & Procurement, no later than **Wednesday, September 16, 2015 @ 4:00 p.m.**

E. SUBMISSION OF PROPOSAL

All interested parties shall submit **seven (7)** sets of proposals, which are to be delivered to the Department of Property and Procurement during normal business hours, no later than **Wednesday, September 16, 2015 @ 4:00 p.m.**

They shall be addressed to:

Randolph N. Bennett
Commissioner Designee
Department of Property & Procurement
Building #1 Subbase, 3rd Floor
St. Thomas, Virgin Islands 00802

The sealed envelope containing the proposal must have the following information written on the outside of the envelope:

SEALED PROPOSALS-DO NOT OPEN

RFP-023-2015(P)

(Name of Bidder)

(Mailing Address of Bidder)

(Telephone Number of Bidder)

(Fax Number of Bidder)

Where proposals are sent by mail, the bidder shall be responsible for their delivery to Property & Procurement before the date and time set for the closing of acceptance of proposals.

F. WITHDRAWALS OF PROPOSAL

A proposal may be withdrawn at any time prior to the time specified as the closing time for acceptance of proposals. However, no proposal shall be withdrawn or canceled for a period of thirty (30) days after said closing time for acceptance of proposals nor shall the successful provider withdraw or cancel or modify his proposal, except at the request of GVI after having been notified that said proposal has been accepted by GVI.

G. INTERPRETATION OF SPECIFICATIONS

If any person contemplating submitting a proposal requires clarification of any part of the scope of work, he/she may submit to the GVI a written request for an interpretation thereof to the **Commissioner Designee of Property and Procurement Randolph N. Bennett**. GVI will not respond to questions received after the above established date. The person submitting the request will be responsible for its prompt delivery. Any interpretation of the scope of work will be made in writing to all prospective providers. Oral explanations will not be binding.

H. CONSIDERATION OF PROPOSAL

The Commissioner of Property and Procurement shall represent and act for GVI in all matters pertaining to the scope of work and contract in conjunction therewith. **This RFP does not commit GVI to the award of a contract, nor pay any cost incurred in the preparation and submission of proposals in anticipation of a contract. GVI reserves the right to reject any or all proposals and to disregard any informality and/or irregularity in the proposal when, in its opinion, the best interest of GVI will be served by such action.** Proposals failing to provide some of the items in the scope of work shall not be rejected per se but any deviations from the scope must be clearly noted.

I. ACCEPTANCE OF PROPOSALS

GVI will notify in writing acceptance of one of the proposals. Failure to provide any supplementary documentation to comply with the vendor's proposal may be grounds for disqualification.

J. CONTENTS OF PROPOSAL

The following is a list of information to be included in the written proposal. Failure to comply with all the requirements as outlined, will disqualify the applicant.

1. Introductory letter about the applicant:
 - a. Name, address, fax and telephone numbers.
 - b. Type of service for which individual/firm is qualified.
2. Organization:
 - a. Names/addresses of Principals of Firm.
 - b. Names of key personnel with experience of each and length of time in organization.
 - c. Number of staff available for assignment. (Local & Off-Territory)
 - d. Copy of Articles of Incorporation
 - e. Copy of Certificate of Resolution
 - f. Copy of valid Business License
3. Outside consultants that will be retained for this project and percentage of work to be sub-contracted.
4. Project experience:
 - a. List of completed projects and estimated cost of each.
 - b. Current projects underway; scope; percentage completed to date and estimated cost of each.
5. Project References: (including a notarized written consent from the authorized representative which must include: name; telephone number; email address and facsimile number).
6. Project Approach:
 - a. Describe how you will approach this project and availability to perform the services requested.
7. Cost: The Cost Proposal must be submitted in a separate sealed envelope.

K. CONFLICT OF INTEREST

A proposer filing a proposal hereby certifies that no officer, agent or employee of GVI has a pecuniary interest in this proposal or has participated in contract negotiations on behalf of GVI; that the proposal is made in good faith without fraud, collusion, or connection of any kind with any other Bidder for the same request for proposals; the Bidder is competing solely in its own behalf without connection with, or obligation to, any undisclosed person or firm.

L. LICENSE REQUIREMENT

An award will not be made to any firm or individual doing business in the Virgin Islands to perform work with the Government of the Virgin Islands until evidence is submitted that the said firm or individual has a valid V.I. Business License to do business in the Virgin Islands. Bidders must submit hard copy of a valid V.I. business license within ten (10) working days after award.

All Bidders bidding as Joint Ventures must be licensed as a Joint Venture in the Virgin Islands.

M. REQUIRED DOCUMENTS

1. **PUBLIC LIABILITY:** The successful bidder will be required to obtain and have in place public liability insurance and other insurance necessary as requested in this proposal package. Insurance policy(ies) shall name the Government of the Virgin Islands as "**Additional Insured**". The public liability insurance shall have a minimum limit of not less than **one hundred thousand (\$100,000.00) dollars** for anyone occurrence for death or personal injury and **one hundred thousand (\$100,000.00) dollars** for anyone occurrence for property damage. **Bidder must provide public liability insurance within ten (10) working days after award.**
2. **WORKERS' COMPENSATION:** Within ten (10) working days after award of project the successful bidder must submit a copy of their certificate providing that his firm and his agents are covered by Workers' Compensation Employee's Liability.
3. **FAILURE TO PROVIDE THE CERTIFICATES WITHIN THE STATED TIME PERIOD MAY RESULT IN THE PROPOSAL DEEMED NON-RESPONSIVE AND MAY BE IMMEDIATELY DISQUALIFIED WITH**

**NO FURTHER CONSIDERATION GIVEN FOR POTENTIAL
AWARDING OF THE CONTRACT.**

N. REQUIREMENTS FOR CORPORATIONS:

1. ARTICLES OF INCORPORATION
2. CERTIFICATE OF CORPORATE RESOLUTION
3. CERTIFICATE OF GOOD STANDING

THESE WILL BE REQUIRED PRIOR TO AWARD OF CONTRACT.

SCOPE OF WORK – COMPUTERIZATION OF CORPORATIONS AND TRADEMARKS DIVISION

The Office of the Lieutenant Governor of the United States Virgin is in need of an on-line data base system that provides corporate, UCC and trademark services to customer through web access. The system shall be able to provide the following functionalities.

1. This project must involve the scanning and indexing conversion of all active hard copy records (business, UCC and trademarks) to digital images within a database that the Government of the Virgin Islands will retain ownership and where customer are able to view all filings with the exception of the financial statements;
2. The system must be able to work in tandem to the Virgin Islands Bureau of Information Technology environment which is virtual hosting infrastructure to accommodate such a project (The storage of data will be hosted by the Virgin Islands Bureau of Information Technology);
3. The project must involve disaster recovery, accessibility to electronic records outside the Virgin Islands and redundant access and storage at the Virgin Islands Bureau of Information Technology for customers to continue filing and accessing system in the event the territory is impacted by imminent weather;
4. The system must allow for online creation of customer accounts for (1) viewership of documents for companies it owns and (2) viewership of other registered entities' documents with the exception of the financials while remitting a fee to the division for on a daily, monthly or annual basis for such access. Certain Government Agencies whether local or federal must be able to have accounts to view documents without incurring a cost for the service.
5. There must be a comprehensive audit performed of the records to determine what companies are not in good standing, how much is owed to the Government of the Virgin Islands, and notices forwarded to collect outstanding taxes or fees.
6. The system must be able to query information from the Department of Licensing and Consumer Affairs to provide information as to what entities are registered and their statuses.
7. The system must be able to work with Banco Popular de Puerto Rico and Evertec for customers to make payment on-line.
8. Ability for customers to remit electronically, name reservation and new entity creation filings (Trade Names, Corporations – Domestic, Foreign, Non-profit, Professional, Exempt, Trade and Labor, Limited Partnerships, Limited

Liability Partnerships, Limited Liability Limited Partnerships, Limited Liability Companies) by indexing and/or scanning documents into system as well as other filing transaction types associated with amendments, revival, mergers, dissolution, renewals, cancellations, terminations, withdrawal, resident agent change, resident agent resignation, principal office change, corporate resolutions, domestication in, domestication out, and payment on-line **(The system must only allow customers to proceed to the next screen when the indexed or scanned information and/or payment are/is correct);**

9. The system must be able to generate and send billing notices to all corporate entities electronically indicating (1) what fees and taxes are coming due, (2) when fees are past due and (3) the administrative dissolution of entity by a specified date for failure to pay outstanding taxes and/or fees;
10. Ability for customers to remit electronically franchise tax and annual reports including financial statements (with these documents solely being available to the office staff and other specified authorized agencies) by indexing and/or scanning information into system with payment on-line;
11. The system must be able to calculate the franchise tax and annual fee due when the customer provides the capital information electronically and customer is able to pay based upon that calculation;
12. Ability for customers, staff and government agencies to search for the corporate records by entity name, owners, officers, directors, managers, members, and resident agent as well as view filings electronically;
13. Ability for customers to perform name availability searches;
14. Ability for the system to generate registration, amendment, renewal, merger, dissolution, cancelation, termination, withdrawal certificates that staff will forward to customers via mail and/or web services;
15. Ability for customers to request good standing and/or existence certificates, certified copies and receive them through email;
16. Ability for customers to file electronically UCC original and amendment filings with payment;
17. Ability for customers to receive UCC filing acknowledgments evidencing the record's filing upon the office electronically;
18. Ability for customers to transmit UCC file searches with payment electronically and to receive results with requested copies, if applicable, via email;

19. Ability for customers to file federally registered trademarks with payments electronically;
20. Ability for system to generate trademark certificates that the staff will mail to customers;
21. Ability for customers and staff to search the USVI trademark registry by USPTO registration number, owner, VI registration number, registration date in USPTO or VI;
22. Ability for system to generate deficient notices to customers electronically when submission and/or payment are/is defective;
23. Ability for system to produce email blast notice to filers when annual or bi-annual reporting requirements but not limited to other important notices from time to time are coming due and past due;
24. Ability for system to generate reports for management –
 - (a) How many business entities are registered within this territory?
 - (b) How many are registered by type? All types collectively? Corporations? LP? LLP? LLLP? LLC?
 - (c) How many are in good standing?
 - (d) How many are not considered to be in good standing? How much money is owed to the Government?
 - (e) How much revenue was collected by filing fees, franchise taxes, penalties and copy fees? Daily? Weekly? Monthly? Quarterly? Annually?
 - (f) How many business entities requested dissolution, cancellation, termination or withdrawal collectively and by type?
 - (g) How many were dissolved administratively for non-compliance to specified section(s) of the Virgin Islands Code collectively and by type;
 - (h) How many UCC filings are on file with office? Original filings? Amendments? Terminations? Continuations? Assignments?
 - (i) How much revenue was collected by UCC filing types? Daily? Weekly? Monthly? Quarterly? Annually?
 - (j) How many trademarks are filed with office? Initial filings? Renewals? Assignments? Mergers? Name Changes?
 - (k) How much revenue was collected by trademark filings? Daily? Weekly? Monthly? Quarterly? Annually?
25. The system must be regularly updated with new add-on, revised version upgrades and services as required.
26. The staff must be trained to use the system, and the supervisors must be trained to be trainers to provide instruction to new employees after implementation.