Request for Proposal
For:
2018 American Bar Association Temporary Services

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**Bid Timetable**

The ABA will make every effort to adhere to the following schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsibility</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>RFP distributed via e-mail to selected bidders and posted on ABA website.</td>
<td>ABA</td>
<td>February 28, 2018</td>
</tr>
<tr>
<td>Deadline for unsolicited bidders who located this RFP on the ABA website to submit clarifying questions.</td>
<td>Unsolicited Bidders</td>
<td>February 28, 2018</td>
</tr>
<tr>
<td>Deadline to submit clarifying questions via e-mail to Rosalinda Farfan at <a href="mailto:Rosalinda.Farfan@americanbar.org">Rosalinda.Farfan@americanbar.org</a>.</td>
<td>Bidders</td>
<td>March 14, 2018</td>
</tr>
<tr>
<td>Deadline to answer clarifying questions</td>
<td>ABA</td>
<td>March 21, 2018</td>
</tr>
<tr>
<td>Please monitor the following website for any communications and/or status regarding this RFP: <a href="http://www.americanbar.org">http://www.americanbar.org</a></td>
<td>Bidders</td>
<td>March 2018</td>
</tr>
<tr>
<td>Electronic proposals must be received by <a href="mailto:Rosalinda.Farfan@americanbar.org">Rosalinda.Farfan@americanbar.org</a></td>
<td>Bidders</td>
<td>March 28, 2018</td>
</tr>
<tr>
<td>(5) Hard copy proposals should be sent to the Issuing Office at American Bar Association, 321 N. Clark Street, Chicago, IL. 60654</td>
<td>Bidders</td>
<td>March 28, 2018</td>
</tr>
<tr>
<td>Review is completed and finalists are notified</td>
<td>ABA</td>
<td>April 20, 2018</td>
</tr>
</tbody>
</table>
1.0 General Information

1.1 Purpose. The American Bar Association (ABA) is the largest professional organization in the world with nearly 400,000 members. With a mission of Defending Liberty, Pursuing Justice, the ABA has diverse temporary employment needs in the areas of office support, law, membership, meeting planning and coordination, project management, publishing, copywriting and design, information systems, web design, interactive services, etc.

This request for proposal (RFP) covers almost all temporary employees expected to be used by the ABA for the next three years. The goal is to provide to those companies interested in submitting proposals (“Bidders”) sufficient information to answer the RFP questions.

1.2 Issuing Department. The Human Resources Department has issued this RFP on behalf of the American Bar Association. The sole point of contact in the ABA for this RFP shall be:

Rosalinda Farfan  
American Bar Association  
321 N. Clark St. LL1  
Chicago, IL 60654  
Rosalinda.Farfan@americanbar.org

Please refer all inquiries to Rosalinda Farfan.

1.3 Problem Statement or Type of Goods Required. The American Bar Association requires the services of national temporary staffing agency(s) to provide a variety of temporary workers throughout the year, primarily in our Chicago and Washington, DC locations. There are occasional requests for temporary workers in our remote offices and at various meeting sites. The ABA is also seeking having an arrangement to place a full or part-time worker that the temporary agency would offer pay rolling services; a list of temporary positions and a brief description are located in Appendix D.

The temporary agency(s) selected must have a comprehensive business model for recruiting, reviewing, testing, training and managing potential candidates. In addition, there must be a proven methodology for managing the temporary placement process from initial order to final billing of the end user. We are looking for a formal process to handle issues when temporaries do not work out or when special situations arise.

1.4 Type of Contract. The contract needs to comply with the ABA Contract Policy and will be reviewed by the ABA’s General Counsel’s Office. ABA entities do not have separate legal standing to enter into oral or written contracts in their own names. All contracts are entered into on behalf of the American Bar Association. The Human Resources Department, in its sole discretion, may undertake negotiations with Bidders whose proposal, in its judgment, show them to be qualified, responsible and capable of performing the project or providing the goods. The Human Resources Department has the right to select the number of final bidders and the right to use one or more companies to meet its requirements. There will be more than one supplier chosen, to meet the needs of the organization. Only staff authorized by the ABA Executive Director and Chief Operating Officer has authority to execute contractual agreements on behalf of the ABA.

1.5 Rejection of Proposals. The American Bar Association reserves the right, in their sole and complete discretion, to reject any proposal received because of this RFP.
1.6 Incurring Costs. The ABA is not liable for any costs the Bidder incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of the award of the contract.

1.7 Pre-proposal Conference. There will be no Pre-proposal conference.

1.8 Questions & Answers. If a Bidder has any questions regarding this RFP, the Bidder must submit the questions by email to the Issuing employee named in Section 1.2 of the RFP. Questions should be submitted no later than the date indicated on the Bid Timetable. The Bidder shall not attempt to contact the Issuing employee by any other means. The Issuing employee shall post the answers to the questions on the ABA website by the date stated on the Bid Timetable.

1.9 Response Date. To be considered for selection, hard copies of proposal and electronic submission must arrive to the Issuing employee on the date specified in the RFP Bid Timetable. Bidders who send proposals by mail or other delivery service should allow sufficient delivery time to ensure timely receipt of their proposals.

1.10 Proposals. To be considered, Bidders should submit a complete electronic response to this RFP, using the format provided in Section 2.0. The Bidder should also send seven (7) copies of the proposal to the Issuing employee. In addition to the paper copies of the proposal, Bidders must submit one complete and exact electronic copy of the proposal via e-mail. The Bidder shall make no other distribution of its proposal to any other Bidder or ABA employee or ABA consultant. An official authorized to bind the Bidder to its provisions must sign the proposal in Appendix A. For this RFP, the proposal must remain valid for 120 days taking into consideration time required for evaluation of proposals and processing of the contract or until a contract is fully executed. If the Issuing employee selects the Bidder’s proposal for award, the contents of the selected Bidder’s proposal will become, except to the extent the contents are changed through Best and Final Offers or negotiations, contractual obligations.

1.11 Minority, Women and Disadvantaged Business Information: The ABA encourages participation by minority, women, and small disadvantaged and disabled veteran businesses as prime contractors, joint ventures, and subcontractors/suppliers. MWBE Businesses are businesses that are owned or controlled by a Minority and Women owned business that have a 51% ownership. The Bidder must provide documentation from a certifying agency, state and federal certification that they are a certified minority or women owned business.

1.12 Discussions for Clarification. Bidders may be required to make an oral or written clarification of their proposals to the Issuing Employee to ensure thorough mutual understanding and Bidder responsiveness to the solicitation requirements. The Issuing employee will initiate requests for clarification.

1.13 Prime Contractor Responsibilities. The contract will require the selected Bidder to assume responsibility for all services offered in its proposal whether it produces them itself or by subcontract. The Issuing employee will consider the selected Bidder to be the sole point of contact with regard to contractual matters.
1.14 Proposal Contents. Bidders should not label proposal submissions as confidential or proprietary. The Issuing employee will hold all proposals in confidence and will not reveal or discuss any proposal with competitors for the contract, unless disclosure is required:

a. Under the provisions of any State or United States statute or regulation; or

b. By rule or order of any court of competent jurisdiction.

All material submitted with the proposal becomes the property of the ABA and may be returned only at the Issuing employee’s option. The Issuing employee, in its sole discretion, may include any person other than competing Bidders on its proposal evaluation committee. The Issuing employee has the right to use any or all ideas presented in any proposal regardless of whether the proposal becomes part of a contract.

1.15 Best and Final Offers. The Issuing employee reserves the right to conduct discussions with Bidders for obtaining “best and final offers.” To obtain best and final offers from Bidders, the Issuing department may do one or more of the following: enter into pre-selection negotiations, including the use of an on-line auction; schedule oral presentations; and request revised proposals.

1.16 Term of Contract. The term of the contract will commence on September 1, 2018 and will end on August 31, 2021. The final contract will contain language extending the agreement by one year with mutual agreement of the parties. The Issuing employee will fix the effective date after the contract has been fully executed by the selected Bidder and by the ABA. The selected Bidder shall not start the performance of any work prior to the effective date of the executed contract and the ABA shall not be liable to pay the selected Bidder for any service or work performed or expenses incurred before the effective date of the contract.

The contract is not considered approved until the terms have been reviewed and approved by the Office of General Counsel. An “American Bar Association Office of General Counsel” approval seal will appear on the contract with the signature of the attorney approving the terms of the contract.

1.17 Use of Electronic Versions of this RFP. This RFP is being made available by electronic means. If a Bidder electronically accepts the RFP, the Bidder acknowledges and accepts full responsibility to insure that no changes are made to the RFP.

2.0 Proposal Requirements

Bidders must submit their proposals in the format outlined below. To be considered, the proposal must respond to every requirement in this part of the RFP. Bidders should provide any extraneous information only as a separate attachment to their proposal.

2.1 Statement of the Problem or Goods Required. Briefly state your understanding of the problem presented, services required by this RFP and any unique capabilities that your company has to deliver these services. We are looking for any help in managing the temporary process more efficiently.

2.2 Proposed Solution and Approach. Describe your solution in detail for accomplishing the work as specified in Section 4.0 of this document. Use Appendix B, the Evaluative Questionnaire, as your template to respond to the RFP.
2.3 Evaluative Questionnaire and Spreadsheets (See Appendix B). Bidders must fully answer all questions listed in Appendix B.

2.4 Price Submittal. Appendix C summarizes your direct and indirect pricing data. Bidders must not include any assumptions in their price submittals. If the Bidder includes assumptions in its price submittal, the Issuing employee may reject the proposal. All prices must be included so that the total annual spend required by the ABA is clearly defined. All direct pricing information must be submitted in C and all fields completed as applicable. No pricing data should be submitted outside of Appendix C.

a. Direct costs (Sheet 1 in Appendix C)
   1. Column B lists positions the ABA requires. If you do not have candidates for a particular category, do not complete the field. There are blank spaces at the bottom provided for bidders to add positions not on the form, if applicable.
   2. Columns C & D indicate the minimum and maximum pay rates for the temporary employee for the job categories.
   3. Column E indicates the mark-up percentage for each position.
   4. Columns F and G indicate the lower and upper rates charged to the ABA.
   5. Column H is a place to state any other issues that may impact the rate. Indicate on the spreadsheet if there would be any further direct charges to the ABA.

b. Indirect costs (Sheet 2 in Appendix C)
   1. If there are other charges NOT already addressed in Appendix B – Evaluative Questionnaire, please specify these on this spreadsheet. Question A covers temporary to permanent placements, B covers the cost of payrolling staff, C talks about holiday and overtime pay and D covers reporting and management fees. Any other indirect costs should be included under E.
   2. There should not be travel and other costs associated with hiring a temporary. In the event a temporary employee must travel on ABA business, that employee should submit a statement of expenses to the Vendor and the Vendor invoices the ABA. Please let us know if your process would be different.
   3. Consultant Costs. These charges would include any costs involved in using a third party to fulfill temporary requests. There should be none but if so, please itemize all costs (if any) and under what circumstances costs would be incurred.
   4. Cost of Supplies and Materials. There should be none. Itemize any if applicable.
   5. General Overhead Expenses should be covered in the bill or mark-up rate. However, if there are other costs incurred in support of the activities described in the RFP, please detail these at the end of Appendix C, sheet 2.
   6. Fee or Profit. List all scheduled Fees and Profit levels your company requires under appendix C, sheet 2.
7. **Total Price.** This is determined by the number of temporaries we employ and length of various assignments. If the Bidder has any minimum levels of usage required, etc., please state it at the bottom of Appendix C, sheet.

2.5

3.0 **Criteria for Selection**

3.1 **Mandatory Responsiveness Requirements.** To be eligible for selection, a proposal must:

   a. Be received according to dates set in the Bid Timetable;
   b. Be properly signed by a representative of the Bidder who is eligible to bind them in contract with the ABA;
   c. Be in accordance with all instructions as set forth in Sections I and II.

3.2 **Technical Nonconforming Proposals.** The Issuing employee reserves the right, in its sole discretion, to waive technical or immaterial nonconformities in a Bidder’s proposal.

3.3 **Evaluative Questionnaire** See Appendix B.

The Evaluative questionnaire consists of nineteen questions – bidders should complete all parts.

3.4 **Criteria for Selection.** The following criteria will be used, in no particular order, in evaluating each proposal:

   a. Bidder qualifications;
   b. Bidder process for recruiting, training, and maintaining availability of top candidates in as many temporary categories as possible;
   c. Financial strength of Bidder;
   d. Level of innovation, automation and expertise shown in acquiring and keeping talent, streamlining the temporary hiring process for the client and handling various issues that might arise;
   e. Ability to execute the process to the satisfaction of the various entities of the American Bar Association;
   f. Overall costs to the American Bar Association;
   g. Soundness of methodology to recruiting, staffing, training, managing and billing;
   h. Level of customer support offered by the Bidder;
   i. Competitiveness in temp-to-permanent pricing situations;
   j. General level of expertise providing in the temporary staffing field.
   k. Competitiveness in payrolling pricing situations.

4.0 **Specifications and Work Statement**

4.1 Objectives.
The American Bar Association is looking to hire a national temporary agency with the best breadth of temporary candidates in a variety of categories. Lists of temporary categories with brief definitions are indicated in Appendix D. Particular strengths in Chicago and Washington DC are critical as 95% of the assignments are generated in these two locations. The Association is reviewing the current temporary hiring process in order to eliminate as much burden as possible from the requesting entities and from ABA Human Resources staff. For that reason, automation and superior customer service will be highly valued.

4.2 Nature and Scope of the Work needed by the ABA. The ABA requests bidders to describe their process for hiring temporary workers in Appendix B. The current process utilized at the ABA is:

- Any entity within the ABA can request a temporary, so long as they have their supervisors’ approval and a valid General Ledger account number and any other required approval documents. The requestor can be as specific or as generic as necessary.
- Depending on the category of request, the staffing request is usually filled in 3 – 5 business days; on occasions the request is expedited.
- All requests, including any special requirements, go through the key vendor contacts in Chicago and DC, who work to fill the positions.
- Once a temporary candidate has been identified, paperwork is submitted to alert various departments (Information Systems, HR, the entity with the request, building security, etc.).
- When the temporary starts, he/she reports to the ABA entity, which is responsible for on boarding them.
- The vendor will need to provide each hiring manager (ABA entity) with a Statement of Work including hourly rate.
- The hiring manager (ABA entity) approves temporary timesheets on a weekly basis.
- The Human Resources department will manage the relationship with the vendor.
- The vendor will send weekly invoice (which will include the ABA’s PO number and the ABA entities billing number) to each hiring manager (ABA entity) and to the ABA’s Accounts Receivables email account.
- The vendor’s key people in Chicago and DC deal with all issues. Human Resources does not get involved unless there is further involvement needed. The vendor gains information informally from various hiring managers. There is currently no formal feedback system in place at the ABA.

In reviewing the responses to the RFP, the ABA will consider changes to the above process where it reduces the workload and / or complexity, improves candidate quality, or provides improved customer service for the Association. Please specify how your proposal will satisfy and improve the existing process.

4.3 Requirements. As described in Section 3.4 Criteria for Selection, the Association is focused on the following characteristics of the successful Bidder:

- Dedicated personal in Chicago and Washington DC to handle temporary requests.
- Large pool of qualified candidates in a variety of areas listed to meet temporary needs. (The expectation is that we would go outside for the limited number of positions that cannot be met by the Bidder.)
- Ability to streamline the temporary request process to reduce problems and maintain quality.
Automated billing, payment, and report systems to reduce management time at the Association. The Association is looking for the most accurate system available.

Open to new ideas about reviewing past and present temporaries, ensuring billing accuracy, etc.

Looking for clear guidelines on dealing with troublesome placements, requests that cannot be fulfilled, handling temp-to-permanent transitions, etc.

Interested in the types of management reporting available so that the ABA can more closely monitor the temporary process.

4.4 Reports and Project Control. As described above, the current temporary process requires statements of work and weekly invoices. The ABA requires the ability to request and receive reports related to any and all of the Agencies temporaries working at the ABA.

Because of the volume of temporaries used at the ABA, we need at a minimum weekly feedback and reporting, as well immediate feedback from the Bidder’s dedicated staff if problems arise. Project control would be ongoing and supported by the HR staff.

Thank you for your interest in working with the American Bar Association.
Appendix A – Bidder Response Sheet

<table>
<thead>
<tr>
<th>Bidder Information:</th>
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<tbody>
<tr>
<td>Bidder Name</td>
</tr>
<tr>
<td>Bidder Mailing Address</td>
</tr>
<tr>
<td>Bidder Website</td>
</tr>
<tr>
<td>Bidder Contact Person</td>
</tr>
<tr>
<td>Contact Person’s Phone Number</td>
</tr>
<tr>
<td>Contact Person’s Email Address</td>
</tr>
<tr>
<td>Bidder Federal ID Number</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature of an official authorized to bind the Bidder to the provisions contained in the Bidder’s proposal:</td>
</tr>
<tr>
<td>Printed Name</td>
</tr>
<tr>
<td>Title</td>
</tr>
</tbody>
</table>

Failure to complete, sign, and return this form with the bidder’s proposal may result in the rejection of the bidder’s proposal.
Appendix B – Evaluative Questionnaire

1. How many years have you been in operation? Where are your major centers of operations?

2. What were your sales in 2016 and 2017? What were your temporary billings for your Chicago and DC offices?

3. Are you a publicly traded or private company? Do your Chicago and DC offices function in the same way?

4. Are you a certified Minority, Women and Disadvantaged Business?

5. In what areas do you specialize? How much of your business is temporary versus permanent placement?

6. How many clients do you have? What percentages are professional associations, Fortune 500 companies, not-for-profits?

7. How many temporaries did you place in Chicago and DC in 2016 and 2017? How many permanent positions did you fill in 2016 and 2017?

8. Provide references of three existing customers. Please include names, phone numbers and emails.

9. Appendix D lists broad categories of candidates the Association has used in the past. Are there any categories you would not be able to fulfill?

10. State your methodology and process for recruiting, retaining & managing temporary employees (e.g. Pre-screening, interviewing, verifying education and work histories, skills testing, background checks, legal compliance, etc.)

11. What training (if any) do you provide candidates to maintain / improve their skillset? How do you monitor their performance in the workplace? Do you offer any onboarding services to help the temporary succeed?

12. How do you deal with problems, misalignments and complaints? What feedback (if any) do you request from the client?

13. What are your turnaround times for hiring and placing temporary workers? What do you do with hard-to-fill positions?

14. Our current temporary process is described in Section 3.4 of this RFP. Can you describe any differences in your process or how the current process may be streamlined?
Appendix B – Evaluative Questionnaire (continue)

15. Describe how temporaries’ bill their time, how it is approved, and your complete billing and auditing process. Tell us how much of your process is automated.

16. Costs and mark-ups are discussed in Appendix C. Do you have any minimums, overtime policies, volume discounts, etc. that could impact our final costs?

17. What type of managerial reporting do you typically supply your customer? What items are included in your reports? Does your reporting system allow for the customer to have access to pull reports when needed and as needed?

18. What are the costs if we bring on a former employee, intern, consultant, etc. as a temporary employee?

19. Indicate your applicable conversion structure, rates and fees if a temporary is hired by the ABA.

20. Specify the management team who will work with the American Bar Association and briefly recap their years of experience and qualifications.