

## Equal Employment Opportunity Investigative Services

**RE: Addendum #1**

**Date: August 1, 2024**

**# of Pages: 2 (plus attached Battery Park City Authority Equal Employment Opportunity Policy)**

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The following revisions and/or clarifications are to be made to the request for proposal (“RFP”) document for Equal Employment Opportunity Investigative Services. They are the result of questions received prior to the deadline of 4:00 p.m. on July 26, 2024.

1. The RFP states: " MBE, WBE and SDVOB firms are encouraged to submit proposals and, where possible, Proposers are encouraged to utilize such firms for any subcontracting opportunities that may become available." Above seems to imply that MBE, WBE and SDVOB firms, once they submit their proposals, might be connected to other "Proposers" to be utilized for available subcontracting opportunities. I am writing to see if my understanding is correct. Once our firm, which is a certified MWBE firm, submits our proposal, will other proposals be made aware of the availability of our firm for subcontracting opportunities with them?

*The RFP language here is meant to encourage primes to utilize M/WBE and SDVOB firms, through their own good faith efforts and use of NYS and OGS certified directories. A proposal does not automatically connect a certified firm with other respondents; however, respondent may certainly network or seek strategic partnerships with certified firms where appropriate.*

2. Is there a way to reach out to potential proposers (other groups you have emailed to about this RFP) to see if our firm can team up with them?

*BPCA encourages networking between respondents at pre-proposal meetings but does not provide contact information for various vendors.*

3. In the minimum requirement section, it states the following: “Proposer must have at least 5 years of demonstrated experience in investigation and/or adjudication of workplace EEO complaints for employers.” We have individuals who have done internal investigations for a number of years; however, we don’t have people who have conducted EEO investigations. Can we qualify by getting people certified or some other way? –

*BPCA is seeking a firm that has experience conducting EEO investigations specifically. We do not require any specific certifications.*

4. Are there any previous contracts which are available for review?

*BPCA does not provide previous contracts as part of the procurement process.*

5. How many investigations are done in a given year?

*Proposers should anticipate 5-10 investigations per year.*

6. Do you have an EEO investigations policy in place? If so can we see a copy?

*A copy is found attached.*

## **APPENDIX II**

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

#### **Objective**

The Authority is an equal opportunity employer. In accordance with anti-discrimination law, it is the purpose of this policy to effectuate these principles and mandates. The Authority prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race; color; creed; religion; sex; sexual orientation/affectional preference; national origin; citizenship; age; disability; genetic predisposition or carrier status; marital or domestic partnership status; military or veteran status; status as a victim of domestic violence, sex offenses or stalking; or any other basis protected by federal, state, city or local law, rule or regulation. The Authority conforms to the spirit as well as to the letter of all applicable laws and regulations.

#### **Scope**

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between The Authority and its employees, including but not limited to:

- Recruitment
- Employment
- Promotion
- Transfer
- Training
- Working conditions
- Wages and salary administration
- Employee benefits and application of policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with the Authority.

#### **Dissemination and Implementation of Policy**

The Vice President of Human Resources is responsible for the dissemination of this policy. Department Heads, managers and supervisors are responsible for implementing equal employment practices within each department. The Human Resources Department is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

#### **Procedures**

The Authority administers the EEO policy fairly and consistently by:

- Posting all required notices regarding employee rights under EEO laws in areas highly visible to employees.
- Advertising for job openings with the statement "We are an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, color,

religion, sex, national origin, disability status, protected veteran status, or any other characteristic protected by law."

- Posting all required job openings with the appropriate state and/or city agencies.
- Forbidding retaliation against any individual who files a complaint or charge of discrimination, opposes a practice believed to be unlawful discrimination, reports harassment, or assists, testifies or participates in an EEO agency proceeding.
- Requiring employees to report to the EEO Officer, a member of management, an HR representative or the General Counsel any apparent discrimination or harassment. The report should be made within 48 hours of the incident.
- Promptly notifies the General Counsel of all incidents or reports of discrimination or harassment and takes other appropriate measures to resolve the situation.

### **Harassment**

Harassment is a form of unlawful discrimination and violates the Authority's policy. Prohibited harassment includes, but is not limited to, unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.

The Authority encourages employees to report all incidents of harassment to the Authority designated EEO Officer, Anastasia Gonzalez - 212-336-9361 or [anastasia.gonzalez@bpca.ny.gov](mailto:anastasia.gonzalez@bpca.ny.gov). The Authority conducts harassment prevention training for all employees and maintains and enforces a separate policy on sexual harassment prevention, complaint procedures and penalties for violations. The EEO Officer investigates all complaints of harassment promptly and fairly, and, when appropriate, makes recommendations on appropriate corrective action. The Authority takes immediate corrective action to stop the harassment and prevent it from recurring.

### **Remedies**

Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. The Authority's EEO Officer will promptly, thoroughly and fairly investigate every issue that is brought to their attention and will make recommendations for disciplinary action, when appropriate, up to and including termination.