



## Request for Information (RFI)

**Division of Industrial Affairs (DIA)  
Request for Information  
Request No. LAB23002-DIA\_MOD  
Delaware DIA Modernization Project**

*- Deadline to Respond -*  
**November 08, 2023**  
**3:00 PM EST Time**

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## **REQUEST for INFORMATION**

This Request for Information (RFI) will not result in award of a competitively bid contract.

The State of Delaware, Department of Labor, is seeking market information on a technical solution or software as a service (SaaS) for the Division of Industrial Affairs. The information gathered may or may not lead to the issuance of a Request for Proposals.

Responses to this Request for Information will remain confidential until such time as a determination is made on whether the State will move forward with a Request for Proposal. If a decision is made to move forward with a Request for Proposal, the responses to this Request for Information will remain confidential until the completion of the Request for Proposal process.

All responses to this Request for Information shall be submitted in a sealed envelope clearly displaying the request for information number and vendor name by November 08, 2023, at 3:00 PM (Local Time).

### **Responses must be mailed to:**

**Jacqueline Pulliam /Industrial Affairs  
State of Delaware  
Department of Labor  
4425 North Market Street  
Wilmington, DE 19809-0969  
Or [Jacqueline.Pulliam@delaware.gov](mailto:Jacqueline.Pulliam@delaware.gov)**

Please review and follow the information and instructions contained in this Request For Information (RFI). Should you need additional information, please contact Jacqueline Pulliam at [Jacqueline.Pulliam@delaware.gov](mailto:Jacqueline.Pulliam@delaware.gov) /Industrial Affairs.

## **I. INTRODUCTION**

### **A. RFI DESIGNATED CONTACT**

All requests, questions, or other communications about this RFI shall be made in writing to the State of Delaware. Address all communications to the person listed below; communications made to other State of Delaware personnel or attempting to ask questions by phone or in person will not be allowed or recognized as valid. Vendors should rely only on written statements issued by the RFI designated contact.

**Jacqueline Pulliam /Industrial Affairs  
State of Delaware  
Department of Labor  
4425 North Market Street  
Wilmington, DE 19809-0969  
Or [Jacqueline.Pulliam@delaware.gov](mailto:Jacqueline.Pulliam@delaware.gov)**

To ensure that written requests are received and answered in a timely manner, electronic mail (e-mail) correspondence is acceptable, but other forms of delivery, such as postal and courier services can also be used.

### **B. CONTACT WITH STATE EMPLOYEES**

Direct contact with State of Delaware employees other than the State of Delaware Designated Contact regarding this RFI is expressly prohibited without prior consent. Vendors directly contacting State of Delaware employees risk elimination of their response from further consideration. Exceptions exist only for organizations currently doing business in the State who require contact in the normal course of doing that business.

### **C. RFI OBLIGATION**

The RFI is a request for information only. There will be no contract awarded as a result of this RFI. Nothing in the materials vendors provide, further referred to as Vendor Information Packages (VIP) as a response to this RFI nor the State's remarks or responses to the VIPs of any individual vendor, will be considered binding for a future contract.

### **D. KEY RFI DATES/MILESTONES**

The following dates and milestones apply to this RFI. Vendors are advised that these dates and milestones are not absolute and may change due to unplanned events during the RFI advertisement. The State reserves the right to add another Q&A period, shorten the period associated with the secondary Q&A period, and/or adjust the proposal deadline, as required. Key RFI dates and milestones will be updated, at a minimum, at time of first Q&A Addendum posting. Vendors are responsible for ensuring they have reviewed the website for the most current information.

<b>Activity</b>	<b>Due Date</b>
RFI Availability to Vendors	Monday, September 20, 2023
Written Questions Due No Later Than (NLT)	3:00pm Local Time, October 04, 2023
Written Answers Due/Posted to Website NLT	October 18, 2023
RFI Response Due NLT	3:00pm Local Time, November 08, 2023

#### **E. RFI QUESTION AND ANSWER PROCESS**

The State of Delaware will allow written requests for clarification of the RFI and its attachments to be submitted once per the schedule outlined above. All initial RFI questions shall be received no later than dates and times shown above. All questions received during the time frames will be consolidated into a single set of responses and posted on the State's website at [www.bids.delaware.gov](http://www.bids.delaware.gov) by the dates shown. Vendor names will be removed from questions in the responses released. Questions should be submitted in the following format. Deviations from this format will not be accepted. All questions may be submitted by email to: [Jacqueline.Pulliam@delaware.gov](mailto:Jacqueline.Pulliam@delaware.gov) /Industrial Affairs.

Alternatively, questions may be submitted by mail to the RFI designated contact address identified above but must be received by the "no later than" RFI questions deadline specified. Questions not submitted electronically shall be accompanied by on USB drive, and all questions shall be formatted in Microsoft Word.

## II. SCOPE OF WORK

### A. PURPOSE / BACKGROUND

The purpose of this RFI is to provide the State of Delaware with information regarding vendor interest and capabilities for providing a technology solution(s) for the Division of Industrial Affairs. The State of Delaware may reference this material as indicative of industry capabilities and in the event the State of Delaware issues a Request for Proposal (RFP), the State may use this material to facilitate the development of the RFP or the establishment of standards and policies.

The Department of Labor's Division of Industrial Affairs (DIA) serves as The Office of Labor Law Enforcement that ensures fair and equitable treatment in the workplace by enforcing or administering 21 state and federal labor laws, including wage payment, minimum wage, child labor, prevailing wages for state-funded construction projects, and discrimination laws. DIA consists of seven offices that foster, promote, and develop the welfare of the wage earners of the State of Delaware. DIA enforces improved working conditions, and advances opportunities for profitable employment.

Delaware Division of Industrial Affairs Website  
<https://labor.delaware.gov/divisions/industrial-affairs/>

The division is in the process of modernizing and/ or replacing its legacy applications for the following units:

- **Wage & Hour** on February 1, 1979, the Secretary of Labor approved the administrative regulations that governs the deductions from wages for wage payment collection. This regulation created the program Wage & Hour. Wage & Hour performs employer investigations of [Child Labor 19 DEL. C. Ch.5](#), [Wage Payment and Collection 19 DEL. C. Ch. 11](#), and [Minimum Wage 19 DEL. C. Ch.19](#). The unit has the right to initiate court action for labor law violations if an employer does not submit requested documents within a 10-day period.

**Workers' Compensation** administers and schedules hearings pertaining to state laws, rules and regulations regarding industrial accidents and illnesses 19 DEL. C. [Ch. 21, 23, 26](#). DIA created within the Department of Labor the classified full-time position of workers' compensation specialists § 2301C. The specialists assist unrepresented injured employees by providing information so that such employees can understand, assert, and protect their rights under Part II of Title 19. In addition, the specialists may assist the Department in expediting the processing of petitions. However, assistance provided under this section shall not include representing claimants in hearings or offering legal advice. Workers Compensation Labor Law Enforcement Officers verify, investigate, and compel employers to obtain insurance. Every employer within the State is required to insure their employees as required by Title 19 §2372. Investigative officers seek out employers who are violating the law and compel compliance using verification and demand letters as well as obtaining orders to compel and fines from the Industrial Accident Board.

- **Construction Industry Enforcement** serves to educate employers and protect workers from unfair and/or unsafe working conditions through the enforcement of laws governing Delaware's Prevailing Wage Law Requirements [29 DEL. Ch. 69](#), Workplace Fraud Act (Worker Misclassification) [19 DE Admin. Code 1326](#), Contractor Registration Act [19 DEL. Ch. 36](#) and all associated labor laws enforced by the Department under [Part IV of Title 19 Ch.35](#).
- **Safety & Health** provides free comprehensive on-site safety and health consultation surveys for small and medium sized businesses in the General Industry, Construction, and Agricultural sectors. All On-site Consultation services are voluntary and confidential. There are no fines, penalties, or fees associated with the service. Surveys help businesses to identify potential workplace hazards, improve safety management systems, and assist in compliance with federal Occupational Safety and Health Administration (OSHA) regulations. Consultants will not:
  - Issue citations or propose penalties for violations of OSHA standards.
  - Report possible violations to OSHA enforcement staff unless they are not abated within the agreed upon time limit.
  - Guarantee that your workplace will "pass" an OSHA inspection.
- **Anti-Discrimination** enforces laws against employment discrimination because of race, color, religion, sex (including pregnancy), sexual orientation, national origin, disability, age (40 or older), marital status or genetic information under [19 DEL. C. Ch. 7](#). The Office of Anti-Discrimination attempts to bring every charge of discrimination to resolution as quickly as possible. With limited exception, charges of discrimination are investigated on a first-filed, first-investigated basis. Every charge is unique, and the time required to investigate a claim is specific to the number of allegations and complexities of the allegations. An investigator will contact the charging party and the respondent when the investigation is started.
- **Human and Labor Trafficking** is a statewide effort to combat the illegal importation and exploitation of undocumented workers, DOL has implemented a Trafficking Coordinator function, giving the state's anti-trafficking initiative an agency-wide focus, collaborating with internal Labor Law Enforcement Officers, Division Directors, and State and Federal Agencies.
- **Fiscal** In compliance with [19 DEL.C. Ch. 23, § 2392](#), DIA determines the Administrative Assessment for the division on a semi-annual basis. The financial statement is extracted from Budgetary Activity Reports from the Department of Revenue and indirect cost rates determined for the division. In addition, the Fiscal unit collects, and deposits penalties paid to law enforcement units, as well as contractor' registration payments.

## B. DEFINITIONS

"Department" means the Department of Labor or its authorized representatives.

"Claimant" refers to the employee(s) applying to receive benefits under

Delaware's Workers' Compensation Program.

"Claim" is the Claimant's open application to receive benefits under Delaware's Workers' Compensation Program.

"Contractor" is any person engaged in the business of: Furnishing labor or both labor and materials in connection with all or any part of construction, alteration, repairing, dismantling or demolition of buildings, roads, bridges, viaducts, sewers, water and gas mains and every other type of structure as an improvement, alteration or development of real property.

"Employee" means any person suffered or permitted to work by an employer under a contract of employment either made in Delaware or to be performed wholly or partly therein. "Check" means a draft drawn on a bank and payable on demand.

"Employer" means any individual, partnership, association, joint stock company, trust, corporation, the administrator, or executor of the estate of a deceased individual, or the receiver, trustee or successor of any of the same employing any person.

"Wages" means compensation for labor or services rendered by an employee, whether the amount is fixed or determined on a time, task, piece, commission, or other basis of calculation.

"UI" refers to the Department of Labor Division Unemployment Insurance

### **C. SCOPE SIZE ESTIMATES**

# of Employers: ~9700  
# of Employees: ~395,000  
# of Claims per year (expected) ~24,000  
# of DOL Users: ~75

### **D. OVERVIEW OF NEEDS**

The State is looking for a solution that automates, manages, and monitors DIA processes. Intended users include the following:

- Any Delaware employer (or designated representative) who has employees
- Employees
- Department of Labor staff
- Insurance providers

### **E. PROJECT REQUIREMENTS**

The project requirements include, but may not be limited to:

1. Improving service delivery and reducing errors by moving to a 100% paperless environment
2. Providing a web facing secure portal to facilitate self-service.
3. Enterprise solution for automated client intake and case management for DIA enforcement units.

4. The ability for DIA enforcement units to view other units' intakes, cases and claims for investigative purposes.
5. The ability to provide Geographical Information Solution (GIS) for demographic tracking of minor permits, intakes, cases, claims, penalties, and enforcement officers' onsite visits.
6. Ability to integrate with State employer source data systems (See Section II.H POTENTIAL INTERFACES).
7. Ability to generate, update, and create new ad hoc letter templates.
8. Ability to calculate benefits owed to claimants.
9. Provide debt collection such as wages owed, fees, penalties, and manage overdue invoices.
10. Provide automated payment plan management.
11. Ability to automatically send billing notifications via email.
12. Ability to send single and/or batch email notifications.
13. Provide customizable workflows with the ability to clone templates.
14. Provide centralized secure document management including image files (.jpeg, .jpg, .png, .tiff, etc.).
15. Ability for data exchange with financial and banking systems.
16. Provide secure and legally binding E-signature capabilities.
17. Provide fraud detection and prevention capabilities.
18. Provide auditing capability for all system changes.
19. Areas of concern are the following:
  - a. Automated child permitting process.
  - b. Integration with existing contractor registration interfaces.
  - c. Automated Contractor Certified Payroll process.
  - d. Automated Prevailing Wage calculations of rates for each class of laborers based on county location.
  - e. Assessments for administrative expenses on insurance carriers for Workers Compensation tax collection, reconciliation, and payment tracking.
  - f. Ability to distinguish payments collected by wage, penalties, and fees.
  - g. Real-time collaborative case management of the appeal process that includes document management and automated scheduling of hearings.
  - h. Record management of intake, case, and appeals processing.
  - i. The solution must be able to operate on mobile devices such as a tablet.
  - j. Provide call center management.
  - k. Ability to generate custom and ad-hoc reporting of all data fields.

## F. EXISTING SYSTEMS BACKGROUND AND FUNCTION

The purpose of this RFI is for a new solution to address the need for DIA to modernize its core processes with technology that support their seven units: Wage & Hour, Workers' Compensation, Construction Industry Enforcement, OSHA, Anti-Discrimination, Human Trafficking, and Fiscal. DIA's two primary legacy applications: **OLLEA** and **Scars** were custom built for the division in **2007**. The recommendation is to start the process of decommissioning the legacy applications and invest in a new solution(s) that meets the needs of the entire division. Maintaining the legacy applications will not diminish the problems but only provide a temporary fix. The applications are both SQL databases that operate on SQL Server Windows 7. As of March 2023, only 3.73% of traditional PCs are running Windows 7 operating system. Mainstream support for Windows 7 ended on January 13, 2015. However, security updates were available for the operating system until January 10, 2023. In

March 2019, Microsoft notified users of the upcoming end of support, and instructed users to a website urging them to purchase a Windows 10 upgrade. As a result, data conversion to a new solution may pose a risk. Interested vendors should discuss their strategy for risk mitigation of the existing data residing in the legacy applications.

#### **G. REQUESTED INFORMATION**

1. What modules and functionality are offered in your solution?
2. Based on the outlined requirements, what is the estimated cost of your solution(s)?
3. Does your solution have an externally hosted environment?
4. Describe your experience working with state labor law enforcement agencies.
5. Describe how your product handles policy challenges and deliver immediate solutions?
6. Describe your risk mitigation process for ensuring successful data conversion from legacy applications to your solution?
7. Does your solution provide automated child labor permitting? If so, please provide details.
8. Does your solution provide self-service claimant benefit processing? If so, please provide details.
9. Does your solution provide payment processing such as wages owed, penalties, and fees? If so, please provide details.
10. Does your solution provide tax collection functionality? If so, please provide details.
11. Does your solution provide contractor management? If so, please provide details.
12. Does your solution include case management for labor law enforcement? If so, please provide details.
13. What is your approach to training end users (employees, employers, internal staff)?
14. What system development methodology will you use for implementation?
15. Describe implementation risks that you foresee and options for mitigation.
16. Given the scope and size estimates in section C, explain your scalability. What is the largest volume you've managed?
17. Describe your process or recommendations for integrating with UI or other stakeholder agencies interfaces.
18. Describe your use of machine learning in fraud prevention or any other aspects of your solution.
19. Discuss your process for data exchange?
20. Have you worked with financial institutions?
21. Describe how you support and maintain the solution.
22. When are you expecting a new major release? What new features or enhancements are you expecting to include?
23. Describe your solution's reporting and analytics capabilities.
24. Does your solution have GIS reporting capabilities? If so, please provide details.
25. Does your solution with or integrate with an ECM (electronic content management) system such as a call center?

## **H. POTENTIAL INTERFACES**

Vendors should discuss how their solutions or SaaS technologies can accommodate the following potential interfaces:

1. Construction Enforcement interface to Salesforce
2. DIA Enforcement units' interface to [Delaware UI Modernization Project](#) employer data
3. Fiscal interface to the Department of Revenue's First State Financials (FSF) Peoplesoft Solution

### **III. VENDOR INFORMATION PACKAGE (VIP) REQUIREMENTS**

#### **A. COVER LETTER**

Each VIP response will have a cover letter on the letterhead of the company or organization submitting the response. The cover letter must briefly summarize the Vendor's ability to provide the services specified in the RFI. The cover letter must also identify a contact person which includes a phone number and email address.

#### **B. DESCRIPTION OF SERVICES AND QUALIFICATIONS**

Each response must contain a detailed description of how the Vendor could provide the goods and services outlined in this RFI. This part of the response may also include descriptions of any enhancements or additional services or qualifications the Vendor will provide that are not mentioned in this RFI.

#### **C. NUMBER OF COPIES WITH MAILING OF RESPONSE**

Each VIP response must be submitted with one (1) paper copy and one (1) electronic copy on USB drive. VIP responses are to be sent to the State of Delaware and received no later than 3:00 PM (Local Time) on November 08, 2023. The VIP response may be delivered by Express Delivery (e.g., FedEx, UPS, etc.), US Mail, or by hand to:

**Jacqueline Pulliam /Industrial Affairs  
State of Delaware  
Department of Labor  
4425 North Market Street  
Wilmington, DE 19809-0969  
Or [Jacqueline.Pulliam@delaware.gov](mailto:Jacqueline.Pulliam@delaware.gov)**

Any response submitted by US Mail shall be sent by either certified or registered mail. Any response received after the date and time deadline referenced above shall be returned unopened.

#### IV. APPENDIX

##### A. Delaware Department of Labor Organization Chart

