



STATE OF NEW YORK
DEPARTMENT OF STATE

New York State Department of State
Request for Information (RFI)

Business Entity Registration Software System

Issued: November 7, 2011

Key Dates:

RFI Issued:	November 7, 2011
Registration (Optional)	November 14, 2011
Questions Due:	November 22, 2011 12 p.m. ET
Questions & Answers Posted:	November 30, 2011
Response Due Date:	December 14, 2011 12 p.m. ET

Question and Responses to this RFI must be submitted electronically, based on the due dates mentioned above to: corprfi@dos.ny.gov

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Administrative Information

Goals & Qualifications for this RFI

The New York State Department of State (DOS) is issuing this Request for Information (RFI) to solicit data regarding the availability of Commercial Off The Shelf (COTS) software and/or custom developed solutions to address the filing, storage, retrieval, imaging and electronic processing of business entity (corporation, limited liability, not-for-profit, etc.) filing documents. This application should provide web-based business entity filing functionality and will be required to interface with various outside entities that require business entity filing information. If COTS solutions are available, they should be mature software products, fully configurable and scalable, and robust enough to handle thousands of concurrent transactions.

DOS is also looking for information as to what has been accomplished in other states in terms of automating the processes surrounding business entity filings. What kinds of services have been placed online; e.g. document filing, annual or biennial reporting, certificates of good standing, other? Are documents imaged and made available online? Have technologies to support electronic or digital signature had to be adopted and, if so, has this been successfully implemented? Has GIS functionality been incorporated and, if so, how?

DOS is looking for a vendor(s) to provide business analysis and system design, development and implementation services. Individual software development firms, system integration (SI) vendors who have implemented applicable COTS application software as the prime vendor, applicable COTS application software vendors who have partnered with SI vendors for implementation work, and applicable COTS application software vendors who have implemented their own solution are all encouraged to respond to this RFI.

To achieve its goals, vendors are required to meet one of the following qualifications in order to respond to this RFI:

1. The vendor should have experience providing application development services to governmental agencies in the area of business entity (corporation, limited liability, not-for-profit, etc.) registration systems of similar size and scope to New York; or
2. The vendor should have a COTS product which can be configured to address the needs of business entity registration services; or
3. The vendor should be a system integration vendor who has worked with appropriate COTS product or software consulting firm that has implemented business entity filing systems similar in size and scope to New York.

RFI Process

Registration

DOS requests firms intending to respond to this RFI to register their interest in doing so within one (1) week of release of the RFI (November 14, 2011). While this is not required, only those firms that register their interest or who pose questions prior to the deadline for questions will be directly emailed answers to questions or any RFI updates that may be issued.

Firms can register their interest via email to:

corprfi@dos.ny.gov

Please use the subject line “RFI Registration – [Company Name]” and include a company name, contact name, address, email address and telephone number in the body of the email.

Submission of Questions

Vendors and firms may submit questions regarding this RFI up until noon on November 22, 2011. Electronic mail is the required method for the submission of questions. All questions must be submitted to the following mailbox:

corprfi@dos.ny.gov

Please use the subject line “RFI Questions – [Company Name]”.

No telephone inquiries will be accepted. It is DOS’s discretion whether to answer some or all questions concerning this RFI. However, consistent and pertinent questions across vendors will be answered and provided for all vendors in a timely manner. Any responses to submitted questions will be provided via email to all parties registered to receive the RFI.

Questions and Answers will also be posted on the Department’s website at:

<http://www.dos.ny.gov/communityprojects/funding.html>

RFI Responses

Vendors and firms shall submit responses to this RFI via email by noon on December 14, 2011. All responses must be submitted to the following mailbox:

corprfi@dos.ny.gov

Please use the subject line “RFI Response – [Company Name]”.

DOS requests that interested vendors provide specific responses to the information in the spreadsheet provided (Attachment A) so that we can ensure we have received common data on all vendors who have

products and services as described. You may also provide additional narrative in a separate MS Word document.

Respondents should answer all questions in the attached spreadsheet. If a question cannot be answered, provide a brief explanation as to why the question cannot be answered (e.g., “N/A - function is outside the scope of offering”).

Pre-printed marketing material should not be included in your response. This solicitation requests your input and feedback for information purposes only. The information provided in your response will be taken into consideration as the Department of State determines how best to proceed with providing the most cost effective and efficient program.

The results of this RFI will help DOS to establish a clear and more definitive set of requirements for the products and services that may be required as well as provide valuable insight as to the best approach for the State of New York to manage this important project.

The information gathered from the responses received may or may not result in the issuance of a formal Request For Proposal (RFP). There will not be a contract or agreement made with any vendor as a result of this RFI. All vendors meeting the criteria are encouraged to respond. However, failure to respond will not in itself disqualify a vendor from bidding in response to an RFP, if one is issued.

At its own discretion, DOS reserves the right to follow up the receipt of responses from respondents with an open meeting, roundtable discussion or presentations in order to solicit additional information. If DOS elects to conduct such a meeting, those registering or submitting timely responses to this RFI will be notified in writing of the details of the meeting.

Timeline Summary

Milestone	Date and Time
RFI Release Date	November 7, 2011
Registration Date (optional)	November 14, 2011
Deadline for Questions	November 22, 2011 – 12:00 PM ET
Posting of Answers (estimated)	November 30, 2011
RFI Response Due Date	December 14, 2011 – 12:00 PM ET

Background

DOS is sponsoring this effort to investigate the possibility of implementing a new and expanded business entity filing system. As New York State continues to face challenging fiscal circumstances, planning for an electronic business entity filing system provides the opportunity to improve or replace the State's aging systems that store, retrieve and process business entity filing information. If this system is implemented, individuals and businesses will have a highly improved, web-based gateway to file a multitude of business entity type filings, pay associated fees online, search current and historical business entity data online, view images of business entity filing documents, etc. The interfaces with external entities such as the NYS Department of Taxation and Finance and other state agencies that rely on the Department of State to provide accurate and up-to-date "good standing" information will be improved. Likewise, interfaces with NYS counties with which certain corporation documents and data are shared will be improved. An interface to New York State's new "business wizard" will also be improved.

Business Information

Corporations Overview

The Department of State's Division of Corporations is responsible for filing, indexing and maintaining nearly two million records for the active and inactive corporations and other business entities formed under the laws of New York State or authorized to do business under the laws of the State. In conjunction with this responsibility the Division serves as statutory agent for service of process and provides certificates of good standing and copies of filed documents pertaining to the entities. The Division is also responsible for the processing of periodic statements filed with the Department. These biennial and five-year statements serve to maintain current names and/or addresses of the chief executive officer, principal executive office and designated recipient of service of process for the entities.

The duties of the Division are governed by various sections of numerous New York State laws, including: Executive Law, Business Corporation Law, Not-for-Profit Corporation Law, General Business Law, Transportation Corporations Law, Cooperative Corporations Law, Limited Liability Company Law, Registered Limited Liability Partnership Law, Real Property Law, and Partnership Law.

In carrying out its duties, the Division interacts with county and local governments as well as various New York State departments and agencies. Examples include exchanging entity dissolution and annulment data with the Department Taxation & Finance, sending lists of dissolved and annulled corporations to counties, and forwarding copies of filing certificates and associated fees to the counties. The Division interacts with the general public by responding to requests for information pertaining to the services it offers and to the entities on file, including requests to purchase all or part of its business entity database.

Current State

The activities of the Division are mission-critical to DOS and provide necessary services that are relied upon by the business community. The Division will process or create over one million filings, certificates, copies and service of process requests annually generating nearly \$50 million in revenue for the State. The following is an approximate monthly breakdown by type of transaction:

Corporations, LLC, LP and RLLC filings	27,500
Biennial and 5 year statements	23,000
Service of Process	12,000
Certificates of Good Standing / Copies	25,000
Assumed name filings	1,500

The Division offers fee-based database access for business entity searches, name availability searches and remote generation of Certificates of Good Standing. The Division also offers a free publicly accessible Internet search of select business entity information. Respectively, the functions handle approximately 17,500 transactions and 575,000 searches monthly. In addition, a paid data subscription service for private companies and a data/image subscription web service to participating county governments are available.

The core computer systems used to support the Division's services were originally developed in the late 1980s and early 1990s utilizing primarily Model 204 DBMS and CICS. Increased functionality to support Internet searches, remote printing of certificates and imaging has been added over the years utilizing Oracle and FileNet. However, the technology on which the core systems is based limits its flexibility / expandability hampering the Division's ability to expand web based services and fully leverage / integrate the efficiencies available from modern document management and other technologies.

Future State

The objective of this project is to comprehensively redevelop the Corporations processing systems on a modern technological platform utilizing a streamlined workflow process. The new system will provide much desired and requested online filing services to the business community of New York State, reducing turnaround time and New York State staff resource requirements.

The following are among the initially defined business objectives the new system looks to achieve:

- Utilizing employees more efficiently by enabling them to perform varying steps within a workflow, rather than being limited to specific tasks;
- Eliminating the backlog of filings and requests awaiting processing;
- Allowing for direct online, web-based filing of certain business entity filings such as standard incorporation documents and biennial statements;
- Providing offsite access to real-time Corporations information (current search results of the public web-based name search function do not precisely reflect name availability since data is only refreshed daily and because the internal and external name search functions operate differently) and generation of certificates under seal and certificate copies 24 hours a day 7 days a week;

- Providing easier implementation of statutorily required changes and desired enhancements, such as adding new types of filings;
- Enabling the Division to pay counties their portion of filing fees within the statutory timeframe of one month;
- Providing the capability for other governmental entities to access and obtain Corporations data through web services or automated means;
- Integrating online credit card, ACH or other fee processing into the system and providing immediate authorization;
- Eliminating the use of drawdown accounts, which are cumbersome and error-prone;
- Establishing better integration with the state's Online Permit Assistance and Licensing (OPAL) system;
- Integrating assumed names into a comprehensive business entity filing system;
- Prohibiting approval of direct conflict name acceptance without supervisory approval;
- Emailing notifications to entities alerting them of changes to their data in an effort to prevent unauthorized filings;
- Providing a spell check function;
- Enabling management to extract statistical information from the database;
- Providing comment fields for annotations; and
- Providing an audit trail to indicate when and what corrections have been made to records.

Functional & Technical Requirements

High Level Requirements for the RFI

This is simply a listing of initially defined high-level requirements and does not reflect the level or completeness of requirements should the Department proceed with the issuance of an RFP.

Customer Requirements (outward facing)

1. Online Web-based self-service to provide the public/customers with access to business entity registration information, instructions and forms
2. Multi-lingual Forms
3. Public Search for business entities by name, county, etc.
4. Name Availability Search (see below)
5. Electronic Initial Registration, Biennial Statement filing, certain amendatory filings, etc. including electronic signature, if required
6. Process to upload document attachments (.pdf, .doc, .gif, etc.)
7. Calculation of fees based on business-defined parameters
8. Availability of online credit card, ACH and other payment processing systems
9. Customer view into own data for tracking the status of their application and/or for data correction or update
10. A robust web-based application for service companies to track work submitted and to download or print/reprint corporation filing receipts, service of process filing receipts, daily corporate copy requests, daily service company revenue reports, biennial statement filing receipts, etc.

11. Allow for bulk filing of data
12. Automated Biennial Statement or other notifications
13. Online help

State Agency Requirements

1. Web browser interface to view data and system modules/components
2. Data Entry System for forms that the public/customers are required to submit on paper
3. Accept, image, store and log documents and attachments
4. Integration with existing imaging/document management systems or implementation of new imaging/document management system
5. Sophisticated Name Availability search incorporating exact, similar or phonetic equivalents, conflicting terms, transposed words, etc.
6. Unique Business Rules and Workflows for each business entity filing type with the ability to easily add additional rules and workflows for new filing types
7. Tracking system for each filing with milestone and due date tracking, as appropriate, alerts/reminders for upcoming or overdue documents, letters or tasks
8. Processing and tracking of summons filings
9. Letter/email generation & tracking system for biennial statements and other notification letters/e-mails
10. Integration with existing email, calendaring and scheduling tool
11. Printing of certificates under seal and other documents as necessary
12. Interfaces with the state's "Business Wizard," Tax and Finance, and other state agencies and county clerk offices as appropriate
13. Data Migration from current databases to new databases
14. Maintenance of all historical data
15. Reporting System to run pre-defined (select filters) and produce dashboard
16. Ad hoc Query/Reporting System
17. Payment processing and reconciliation
18. Internal Audit/Transaction Logging System
19. Interface with GIS systems
20. Role-based security
21. Compliance with State policies and guidelines including, but not limited to:
 - a. Information Security Policy:
<http://www.dhses.ny.gov/ocs/resources/documents/Cyber-Security-Policy-P03-002-V3.4.pdf>
 - b. Information Classification and Control Policy and Standard:
<http://www.dhses.ny.gov/ocs/resources/documents/PS08-001-V1.1-December4,2008.pdf>
 - c. Accessibility standards: <http://www.cio.ny.gov/policy/NYS-P08-005.pdf>
 - d. Electronic Signatures and Records (ESRA) Guidelines:
<http://www.cio.ny.gov/policy/G04-001/G04-001.pdf>

Current Business Entity Filing Statistics

DOS's business entity data base contains filing histories for 3,950,000 business entities of which 1,825,000 are considered active. Each entity history contains various combinations of the 47 different types of filings currently processed by the Division. The filings are primarily paper documents with the majority submitted by service companies.

Company and Project Information Requested

Please respond to the following questions on the attached spreadsheet:

1. Describe your organization
 - Systems Integrator
 - COTS Software vendor
 - Software Development firm
 - Other (please specify)
2. List statewide or multi-agency implementations of registration and/or regulatory type systems, similar to that described in this RFI, using a COTS software product or customized applications that have been completed or are in progress by your company. Please include the following information for each implementation:
 - a. Customer
 - b. Contact Name and phone number or e-mail address for the customer
 - c. Name of COTS package, if applicable
 - d. Duration of the project, or expected duration if project is currently underway
 - e. Cost of the project, or expected cost if project is currently underway
 - f. Brief description of major components/functions implemented both in the back office and online. Also include whether electronic or digital signature had to be implemented and, if so, whether this has been successful both from a technical and business standpoint.
 - g. Technologies used for implementation; e.g. Oracle, SQL Server, other; .NET, Java EE, etc. Also indicate whether GIS technologies have been implemented and, if so, how these are being used.
3. How might the project be broken into phases and what would be the expected duration of each phase?
4. What would your company recommend as the next step for advancing a project of this size and scope?
5. Would your company be able to provide business process reengineering services as a first step in a multi-phase project?
6. Please comment on hosted or “cloud computing” services available for this type of system.
7. Would your company be able to provide ongoing support of the system through a maintenance agreement with New York State? Please include the types of services you would or would not be able to provide:
 - Application hosting
 - Help Desk
 - Business Analysis
 - Level 2 application support
 - Database Administration and Tuning
 - Software Upgrades
 - Ongoing Training for IT and business functions related to the system

Organizations are welcome to provide additional narrative in a separate MS Word document.

General Information

1. DOS will not be liable for any costs of work performed in the preparation and production of any RFI response. By submitting a response, the respondent agrees not to make any claims for, or have any right to, damages because of any misunderstanding or misrepresentation of the specifications, or because of any misinformation or lack of information. The responses and all information relating to responses shall become the property of the State of New York.

2. This RFI is being issued for data gathering purposes only, and, as a result, a response does not bind or obligate the responder, DOS or New York State to any agreement of provision or procurement of products referenced. No contract can or will be awarded based on submissions.

3. This RFI does not fall under the requirements of State Finance Law §§139-j and 139-k (the Procurement Lobbying Law) and there is no restricted period. However, we ask that you direct your questions and responses in writing to designated email address referenced above in section 3.1.3.

4. Freedom of Information Law and RFI Responses

a) The purpose of New York State's Freedom of Information Law (FOIL), which is contained in Public Officers Law Sections 84-90, is to promote the public's right to know the process of governmental decision making and to grant maximum public access to governmental records.

b) Thus, a member of the public may submit a FOIL request for disclosure of the contents of the responses submitted to the State in response to this RFI. The responses of respondents are subject to disclosure under FOIL. However, pursuant to Section 87(2)(d) of FOIL, a State agency may deny access to those portions of responses which "are trade secrets or submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Please note that information which you may claim as proprietary, copyrighted or rights reserved is not necessarily protected from disclosure under FOIL.

c) If there is information in your response which you claim meets the definition set forth in Section 87(2)(d), you must so inform us in a letter accompanying your response.

5. DOS reserves the right to:

a) Postpone or cancel this RFI upon notification to all RFI respondents.

b) Amend the specifications after their release with appropriate notice to all RFI respondents.

c) Request RFI respondents to present supplemental information clarifying their responses, either in writing or in formal presentation.