

**REQUEST FOR
PROPOSAL / QUALIFICATIONS**

**Monroe County
Water Authority**



Cyber Security Incident Response Services

August 30, 2023

Monroe County Water Authority
475 Norris Drive
Rochester, New York 14610

SECTION 1 - INVITATION TO PARTICIPATE

1.1 Purpose

The Monroe County Water Authority (MCWA) is seeking proposals from prospective Information Technology Service Providers for Cyber Security Incident Response Services.

Prospective Proposers must offer a proposal that will meet the scope of services, qualifications and general description of capabilities identified in Section 2 of this document.

In responding to this RFP/Q, Proposers **must** follow the prescribed format as outlined in Section 3. By so doing, each Proposer will be providing MCWA with comparable data submitted by other Proposers and, thus, be assured of fair and objective treatment in the MCWA review and assessment process.

1.2 RFP/Q Procurement Officer

The RFP/Q Procurement Officers identified below are the sole point of contact regarding this RFP/Q from the date of issuance until the selection of the successful Proposer.

Justin Moore
Justin.Moore@mcwa.com
Phone (585) 442-2001 x 253

Monroe County Water Authority
PO Box 10999
475 Norris Drive
Rochester, New York 14610-0999

1.3 Presentation and Clarification of MCWA's Rights and Intentions

MCWA intends to enter into a contract with the selected Proposer to supply the services described in Section 2. However, this intent does not commit MCWA to award a contract to any responding Proposer, or to pay any costs incurred in the preparation of the proposal in response to this request, or to procure or contract for any equipment. MCWA reserves the right, in its sole discretion, to (a) accept or reject in part or in its entirety any proposal received as a result of this RFP/Q if it is in the best interest of MCWA to do so; (b) award one or more contracts to one or more qualified Proposers if necessary to achieve the objectives of this RFP/Q if it is in the best interest of MCWA to do so.

1.4 Timeline

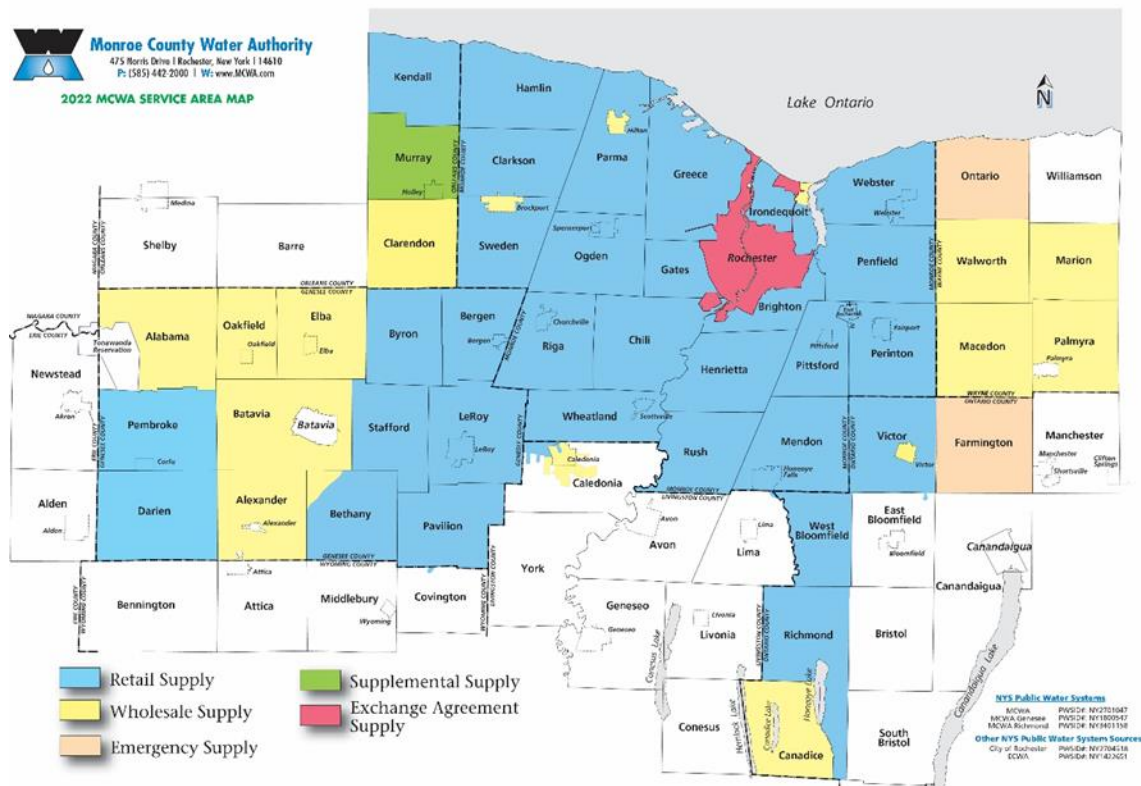
The schedule of events for this RFP/Q is anticipated to proceed as follows:

- ◆ All questions from Proposers must be emailed to the RFP/Q Procurement Officer by 5 PM Eastern Time on Monday, September 11, 2023.
- ◆ Answers to questions will be sent back to all eligible Proposers and posted on the MCWA Website by EOD September 13, 2023.
- ◆ Final RFP/Q submissions must be received by 11:00 AM Eastern Time on Tuesday, September 26, 2023 at the address shown in Section 3.1.

1.5 Overview of the Organization

The Monroe County Water Authority provides high quality, safe and reliable water, in a financially responsible manner. MCWA was created by State legislation in 1950 to solve the water supply needs of this community. In 1959, the Authority took over the assets of the private New York Water Service Corporation and had 27,000 retail customers, serving just portions of the County's inner ring towns and portions of the City. As surrounding towns and villages faced new water supply challenges, the Authority's service area has steadily grown. Today, the Authority serves over 180,000 customers in every town and village in Monroe County (partially in the City of Rochester) plus towns, villages and other water authorities in each of the five adjacent counties.

The communities served are shown below:



1.6 Overview of the Project

Finding a Cybersecurity partner that can provide immediate help in the event of a security incident in a proactive way to best prepare for and budget for security incidents.

SECTION 2 – DETAILED SCOPE OF WORK

2.1 Proposal Detail

Below are the tasks and deliverables to be completed under this contract for the Incident Response Retainer. At a minimum MCWA will require a four (4) hour service level agreement response time for Incident Response with an annual base cost:

1. Incident Command
2. Incident Coordination
3. Digital Forensics
4. Public Relations
5. Remediation
6. Guidance regarding compliance with federal / state laws and regulations

MCWA would expect the chosen vendor to:

- Respond to an active security incident within the 4 hour SLA
- Minimize impact and damages from security breach(es) and incident(s)
- Expedite recovery from incident(s)
- Ensure compliance with Federal, statutory and commercial regulations relating to data breach notification and reporting
- Provide a 24x7 Incident Response Hotline to call in the event of an incident

Using the following regulations and standards:

- NIST SP 800-61 Computer Security Incident Handling Guide
- US-CERT Federal Incident Notification Guidelines
- Other federal and state statutes where applicable

Refer to Section 3 for further detail regarding response formats and requirements.

2.2 Price Proposal

The Price Proposal should be for an annual incident retainer base cost (at least 40 hours), as well as an optional adhoc hourly rate for any services required beyond the retainer. Costs structure for up to four subsequent annual optional renewal years should be included.

SECTION 3 - SPECIFIC PROPOSAL REQUIREMENTS

3.1 Submission of Proposer's Statement of Qualifications and Proposal

A. Acceptance Period and Location: To be considered, Proposers must submit a complete response to this RFP/Q. Proposers not responding to all information requested in this RFP/Q or indicating exceptions to those items not responded to may have their proposals rejected. The sealed Proposal must be received before the time designated in Section 1.4. **Proposals must be delivered to the address below via delivery service (such as UPS or FedEx) with instructions to Deliver to Bid Box located at Employee Entrance, Door #19.** Proposers have sole responsibility to contact the Procurement Officer to confirm receipt of the Proposal. US Mail and hand delivery are not an acceptable means to deliver to this location. **Proposals sent via US Postal Service will be returned, unopened.** Please address the proposals to:

Attn: Justin Moore (Cyber Response)
475 Norris Drive
Bid Box located at Employee Entrance, Door #19
Rochester, New York 14610-0999

B. Required Copies: Proposers must submit one (1) signed original Proposal and three (3) copies of the signed original proposal. An official authorized to bind the Proposer to its provisions must sign proposals.

C. Economy of Preparation: Proposals should be prepared as simply as possible and provide a straightforward, concise description of the Proposer's capabilities to satisfy the requirements of the RFP/Q. Expensive bindings, color displays, promotional material, etc. are neither necessary nor desired. Emphasis should be concentrated on accuracy, completeness, and clarity of content. All parts, pages, figures, and tables should be numbered and clearly labeled. Vague terms such as "Proposer complies" or "Proposer understands" should be avoided.

3.2 Response Date

To be considered, a sealed Proposal must arrive on or before the location, time and date specified in Section 1.4. **Requests for extension of the submission date will not be granted.** Proposers mailing proposals should allow ample delivery time to assure timely receipt of their proposals. Proposals must be delivered via a trackable overnight service. No proposals will be accepted via US Mail or via email.

3.3 Clarification of RFP/Q and Questions

Questions that arise prior to or during proposal preparation must be submitted **in writing via email to the RFP/Q Procurement Officer by the date and time listed in section 1.4.** Questions and answers will be provided to all eligible Proposers and posted on the MCWA website. MCWA reserves the right to not respond to questions that are too sensitive in nature or pose a risk to the security of any networks, computer systems,

and data. No contact will be allowed between the Proposer and any other member of MCWA with regard to this RFP/Q during the RFP/Q process unless specifically authorized in writing by the RFP/Q Coordinator. Prohibited contact may be grounds for Proposer disqualification.

3.4 Addenda to the RFP/Q

In the event it becomes necessary to revise any part of this RFP/Q specification, addenda will be provided to all eligible Proposers. An acknowledgment of such addenda, if any, must be submitted with the RFP/Q response.

3.5 Organization of Qualification and Proposal Statement

This section outlines the information that **must** be included in your Qualifications and Proposal Statement. Please respond with your information in the same order as the items in the section.

- A. Summary of the proposal:** Include a table view that summarizes the proposal at the beginning.
- B. Company Information:** Provide a brief history of your company including the number of years in business, identification of company ownership, and the number of employees.
- C. Qualification description:** Provide detailed information relating to the qualifications of the personnel proposed to support this engagement. Include descriptions of at least five similar projects that were completed by the personnel proposed for this project.
- D. Cost Proposal:** Provide itemized pricing for services outlined in section 2.
- E. Optional features:** List any options that are recommended that exceed the specification and any cost associated.
- F. References:** Provide a minimum of three clients for whom your company has provided similar services. Include the following information for each client:
 - i. Name and address of the client;
 - ii. Name and contact information for the person;
 - iii. Summary of the services provided.
- G. Procurement Form:** Include and **sign** the procurement disclosure form contained in Section 4.6. Failure to do so will disqualify proposers from consideration from evaluation.

3.6 Method of RFP/Q Evaluation

- A. RFP/Q Evaluation Committee:** Selected personnel from MCWA will form the evaluation committee for this RFP/Q. It will be the responsibility of this committee to evaluate all properly prepared and submitted proposals for the RFP/Q and make a recommendation for award.

B. RFP/Q Evaluation and Selection Criteria: All properly prepared and submitted Proposals shall be subject to evaluation deemed appropriate for the purpose of selecting the Proposer with whom a contract may be signed. Evaluation of the proposals will consider several factors, each of which has an impact on the relative success of the Proposer to provide the services as outlined in Section 2. RFP responses will be evaluated on the following criteria:

- Overall Pricing
- Qualifications of Personnel
- References and Like Projects
- Ability for Timely Response

C. Contract Approval Process: Proposers must be aware that any contract resulting from this request for proposals is subject to prior approval by the MCWA Board of Directors.

3.7 Investigations

MCWA reserves the right to conduct any investigations necessary to verify information submitted by the Proposer and/or to determine the Proposer's capability to fulfill the terms and conditions of the bidding documents and the anticipated contract. MCWA reserves the right to visit a prospective Proposer's place of business to determine the existence of the company and the management capabilities required to administer this agreement. MCWA will not consider Proposers that are in arrears to MCWA, in bankruptcy, or in the hands of a receiver at the time of tendering a proposal or at the time of entering into a contract.

SECTION 4 - GENERAL INFORMATION FOR THE PROPOSER

4.1 Reservation of Rights

MCWA reserves the right to refuse any and all proposals, in part, or in their entirety, or select certain products from various Proposer proposals, or to waive any informality or defect in any proposal should it be deemed to be in the best interest of MCWA. MCWA is not committed, by virtue of this RFP/Q, to award a contract or to procure or contract for services. The proposals submitted in response to this request become the property of MCWA. If it is in its best interest to do so, MCWA reserves the right to:

- A.** Make selections based solely on the proposals or negotiate further with one or more Proposers. The Proposer selected will be chosen on the basis of greatest benefit to MCWA as determined by an evaluation committee.
- B.** Negotiate contracts with the selected Proposers.
- C.** Award a contract to more than one Proposer.

4.2 Acceptance of Proposal Content

The contents of the proposal of the successful Proposer may become contractual obligations, should a contract ensue. Failure of a Proposer to accept these obligations may result in cancellation of the award.

4.3 Contract Payment

Actual terms of payment will be the result of agreements reached between MCWA and the Proposer selected.

4.4 Incurring Costs

MCWA is not liable for any costs incurred by Proposer prior to the effective date of the contract.

4.5 Material Submitted

All right, title and interest in the material submitted by the Proposer as part of a proposal shall vest in MCWA upon submission of the Proposer's proposal to MCWA without any obligation or liability by MCWA to the Proposer. MCWA has the right to use any or all ideas presented by a Proposer.

MCWA reserves the right to ownership, without limitation, of all proposals submitted. However, because MCWA could be required to disclose proposals under the New York Freedom of Information Law, MCWA will, to the extent permitted by law, seek to protect the Proposer's interests with respect to any trade secret information submitted as follows:

Pursuant to Public Officers Law § 87, MCWA will deny public access to Proposer's proposal to the extent the information constitutes a trade secret, which if disclosed would cause substantial harm to the Proposer's competitive position, provided the Proposer identified the information it considers to be a trade secret and explains how disclosure would cause harm to the Proposer's competitive position.

4.6 Procurement Policy

Pursuant to State Finance Law §§ 139-j and 139-k, this Request for Qualifications includes and imposes certain restrictions on communications between a Governmental Entity (including the Authority) and Bidder/Offerer during the procurement process. A Bidder/Offerer is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Process by the Authority to other than the Authority's Procurement Officers unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). The Authority's Procurement Officers for this Governmental Procurement, as of the date hereof, are identified herein. Authority employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Bidder/Offerer pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four (4) year period, the Bidder/Offerer is debarred from obtaining government Procurement Contracts. Further information about these requirements may be obtained from the Procurement Officers.

The Authority reserves the right to terminate this contract in the event it is found that the certification filed by the Bidder/Offerer in accordance with State Finance Law § 139-k(5) was intentionally false or intentionally incomplete. Upon such finding, the Authority may exercise its termination right by providing written notification to the Bidder/Offerer in accordance with the written notice terms of this contract.

**OFFERER/BIDDER DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATION
AND AFFIRMATION/CERTIFICATION IN ACCORDANCE WITH NYS FINANCE LAW §§ 139-J
AND 139-K**

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

Contract Procurement Number: 230828-02

Date: _____

1. Has any Government Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?

(Circle one):

Yes No

If yes, answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law § 139-j?

(Circle one):

Yes No

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity?

(Circle one):

Yes No

4. If you answered yes to any of the above questions, provide details regarding the finding of non-responsibility below.

Governmental Entity: _____

Date of Finding of Non-Responsibility: _____

Basis of Finding of Non-Responsibility: _____

(Add additional pages as necessary.)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?

(Circle one):

Yes No

6. If yes, provide details below:

Governmental Entity: _____

Date of Termination: _____

Basis of Determination or Withholding: _____

(Add additional pages as necessary.)

By signing below, Bidder/Offerer affirms that it understands and agrees to comply with the MCWA Water Authority's Procurement Disclosure Policy, Code of Ethics Policy and Conflict of Interest Policy as required by State Finance Law § 139-j(3) and § 139-j(6)(b) and certifies that all information provided to the Monroe County Water Authority with respect to State Finance Law § 139-k and § 139-j is complete, true and accurate.

By: _____

Date: _____

(Signature of Person Certifying)

Print Name: _____

Print Title: _____

Bidder/Offerer Name: _____

(Company Name)

Bidder/Offerer Address: _____

Bidder/Offerer Phone Number: _____