

**STATEMENT OF WORK
STATE WORKERS' INSURANCE FUND (SWIF)
SECURITY SURVEILLANCE SERVICES
INVITATION TO QUALIFY (ITQ) CONTRACT**

- I. OVERVIEW.** The purpose of the SWIF-Security Surveillance Services ITQ is to qualify responsible and responsive Contractors to perform the requirements of the Department of Labor & Industry (DLI) SWIF for Activities Checks/Surveillance Services, Testimony, and Background Checks / Records Research. The DLI is seeking qualified Contractors to provide expert, comprehensive Activities Checks/Surveillance, Testimony and Background Checks / Records Research services to determine if a claimant's activities are consistent with his/her purported disability, and whether the claimant is engaging in unreported employment.

Subcontracting is **not** permitted under this contract. If subcontracting is suspected and confirmed, the contract may be terminated.

II. SERVICES.

1. Activities Check.

- a. Contractor shall contact SWIF within three (3) working days upon receiving referral of a file by SWIF. The Contractor shall contact the Manager or the appropriate designee of the referring SWIF District Office to review and discuss the referred claim, the investigation to be conducted, and the necessary information required by the Contractor (i.e. present address of the claimant, description of the claimant, court records, police reports, timeline etc.);
- b. If the Contractor's investigation reveals that the claimant's activities are consistent with his/her purported disability and that the claimant has no unreported employment, the Contractor shall terminate the investigation and submit a report to the appropriate District Office. The report must be signed by the individual investigator assigned to the claim; and
- c. If the Contractor's investigation reveals that an individual claimant's activities are not consistent with his/her purported disability and that the claimant has unreported employment, the Contractor shall contact the referring office for additional direction.

2. Surveillance.

- a. The Contractor shall supply and use video equipment suitable for both outdoor and indoor filming to obtain admissible, definitive film to document reports submitted by SWIF, as well as to corroborate testimony at hearings. Contractor cedes to SWIF any and all right, title and interest in the images produced for these stated purposes. Such images become SWIF's personal property. Contractor may retain copies of such images in whatever form produced but shall not release them to any third party without SWIF's explicit permission. It is understood that the Contractor can capture images in any format but must present same to SWIF only on computer discs. Cost of all media provided to SWIF are part of hourly charge;

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- b. When film is used, the Contractor shall arrange for the development of the film, store the film, and show the film at times and places requested by SWIF. The Contractor shall secure certification from the developer that the film has not been edited or tampered with in any way. The contractor shall use film with a minimum 5-year shelf life. To eliminate the risk of substitution or tampering of images, Contractor shall establish a system of identification and custody of the film in its taking, in its development and in its exhibition as still photographs, videotapes, motion pictures and the CD's capturing same that are submitted to SWIF. Contractor shall adhere to the established system of identification and custody and shall make itself available to testify about such system and its adherence to it. The Contractor must be able to certify that the CD's submitted to SWIF are authentic and have not been tampered with;
- c. The contractor shall assign and use only one investigator and one vehicle on a referral, except as otherwise approved in advance by authorized SWIF personnel;
- d. Within the first three (3) hours of surveillance, the Contractor must confirm that the address SWIF provided is the actual residence of the claimant. If for some reason the Contractor is unable to substantiate claimant's residency, Contractor is to contact the referring SWIF District Office who will determine to suspend or continue surveillance;
- e. The Contractor will be expected to contact the referring SWIF District Office within three (3) hours of commencing the surveillance for further instructions, if no activity occurs;
- f. Within a twenty-four (24) hour period, the Contractor must contact the referring SWIF District Office to give a preliminary report and to determine if additional surveillance is needed; and
- g. Within fifteen (15) days of a claim referral by SWIF, the Contractor shall submit to SWIF Home Office and the appropriate District Office a typewritten narrative report signed by the individual investigator who coordinated the investigation. These reports must be accurate and informative.

*Any additional instructions/ requests will be provided by SWIF on a case to case basis.

- 3. **Testimony.** The Contractor and its investigators may be required to testify and supply evidence, including surveillance CD's at hearings on referred claims. Such testimony may include actual testimony at a bench or jury trial, or testimony as part of a deposition. In addition, the Contractor and its investigators shall assist and cooperate with SWIF Attorneys, Doctors and personnel in preparation for such hearings or other matters as deemed necessary by SWIF. Such preparation and assistance may include participating in pre-trial preparation sessions, phone consultations, post-trial consultation for debriefing or appellate purposes, or other similar activities. Testimony will be paid at the same hourly rate as the surveillance services.

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4. Background Checks/Records Research. All reports shall be legally obtained. Examples of the type of information that should be accessed to complete a Background Check/Research Report are as follows:

- a. Criminal History;
- b. Courthouse Check;
- c. Civil History;
- d. Social Media Searches;
- e. Medical Records;
- f. Employment Records.

*Contractor can use court records (courthouse check) to carry out background checks. Courthouse checks may be done in person or online depending on method that would provide most complete information. They can conduct database searches on the national level as well as the state and county levels. A professional can conduct a public records search using the name or location of the individual. The type of data readily available includes marriage and divorce information, criminal history, birth records, voter records, and death records. Public records include an individual's entire property ownership history. You can see the comprehensive history of a piece of property, including when it was bought or sold and who currently owns it. You can also find real property documents concerning: Deeds, Mortgages, Liens, Oil and Gas Leases, Abstracts of Judgement, Releases, Property tax, Assets.

III. ISSUING OFFICE. This ITQ is managed and administered by the Commonwealth of Pennsylvania, Labor and Industry, Bureau of Administrative Service, Division of Procurement. All inquiries should be referred to:

Department of Labor and Industry
Bureau of Administrative Services
Division of Procurement, 2nd Floor,
Room 205
651 Boas Street
Harrisburg, PA 17121
Email: RA-li-OIT-BAS-Procur@pa.gov

IV. PERSONNEL. Notice of personnel changes (addition or deletions) must be communicated to SWIF. In the case of deletions, the normal workload must be handled on a timely basis until replacements are hired and/or assigned to the project. The Contractor(s) shall immediately notify the Commonwealth if any of its personnel are accused of any inappropriate or criminal behavior related to the duties specified in this **ITQ**. The Contractor shall also notify the Commonwealth of any criminal prosecutions commenced against the Contractor or its personnel within 10 days of charges being filed.

V. TRAVEL TIME. Contractor must also provide in their submissions the hourly charge for Travel Time. Travel Time starts from the shortest distance from your origination point (SWIF Office, Contractor's _____

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Office or Investigator's home) directly to the SWIF surveillance site or testimony site and returning to the SWIF Office, Contractor's Office or Investigator's home, whichever is closest to the SWIF surveillance site. Mileage will be reimbursed at the current Commonwealth rate. Mileage starts from the location as defined above, traveling directly to the SWIF surveillance site and returning to the SWIF Office, Contractor's Office or Investigator's home, whichever is closest to the SWIF surveillance site. **Mileage will be paid at the current Commonwealth of Pennsylvania rate as per Management Directive 230.10 - https://www.oa.pa.gov/Policies/md/Documents/230_10.pdf**

VI. BILLING AND REQUIREMENTS. The Contractor shall submit computer-generated invoices on a monthly basis to the appropriate SWIF District Office for services rendered on each file referred. The invoices shall list the following:

1. SWIF claim number;
2. Claimant's name;
3. Last four (4) digits of Social Security Number;
4. Date of services; and
5. Contractor's Federal Identification Number/Social Security Number.
6. Contractor's SAP Vendor number

The invoices must include a breakdown of charges and a detailed report of the work performed.

The Awarded Contractor(s) will submit, in a format determined by SWIF, a monthly report listing the Surveillance Services provided for the period by district office.

A copy of all monthly reports must be submitted by the 15th of the following month to:

State Workers' Insurance Fund
Attn: Chief Financial Officer
100 Lackawanna Ave.
Scranton Pa. 18503

Or emailed to RA-LISWIF-PROCUREMENT@pa.gov

In addition to the above, Contractor will be responsible for submitting status reports on each file referred within 15 days of the assignment. Subsequent status reports are due at 30, 60 and 90-day intervals from the assignment date. Said reports will be reviewed by SWIF management and the Contractor on a monthly basis.

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VII. QUALIFICATIONS. Contractors interested in becoming an ITQ Contractor must meet the following requirements. Failure to meet the below requirements will result in the application being rejected. Each Contractor that meets the minimum qualifications will be awarded a contract. Award of a contract to a Contractor is not a guarantee of business.

1. Contractors will complete the ITQ experience form to demonstrate prior experience in providing Activities Checks/Surveillance, Testimony and Background Checks / Records Research services on workers' compensation claims in Pennsylvania. Contractor must provide documentation showing evidence of five (5) years of experience in providing these services in accordance with PA Workers' Compensation Act;
2. Contractors must provide five (5) client references from clients (other than for SWIF) for whom you have provided services within the last three (3) years. For each client reference, provide the name, address, email address, and telephone number of a contact person;
3. Contractors must provide complete resumes of key personnel, including Project Manager, in your company showing each specific individual's education, certifications and experience in providing these services, including the duties each will perform;
4. Contractors must provide an organizational chart showing all key personnel involved in the contract and where each will be physically located must be included with the solicitation;
5. **Sample Surveillance Reports.** Contractor is must upload five (5) total of the following giving at least 1 report for each section: (Please scrub any identifying information that should not be seen by the public)
 - a. Surveillance Report;
 - b. Activity Check; and
 - c. Background Checks / Records Research Report;
6. Contractors are required to download, complete, and upload a completed Cost Submittal;
7. Contractors are required to download, complete and upload a completed Domestic Workforce Utilization Form;
8. Contractors are required to download, complete and upload a completed Iran Free Procurement Certification Form;
9. Contractors are required to download, complete and upload Work Protection and Investment Certification Form;

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10. Contractors are required to download, completed, and upload a completed Lobbying Certification Form; and

11. Contractors must be able to service the entire geographical territory/territories for which pricing is submitted and must have personnel physically located in those territory/territories.

VIII. **SERVICE CATEGORIES:** Contractors will need to choose the appropriate commodity code(s) to qualify for this contract. Contractors will select the appropriate code(s) under the Business Details section of the qualification process. The Commonwealth may add additional commodity codes as the need arises. The table below lists the appropriate commodity code and description of each service category.

COMMODITY CODE	DESCRIPTION OF SERVICE CATEGORY
92120000-ITQ-481 TERRITORY A: Philadelphia District Office	Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties Contractor must be able to service the entire geographical territory/territories and must have personnel physically located in those territory/territories.
92120000-ITQ-482 Department of General Services Certified Small Business Only TERRITORY A: Philadelphia District Office	Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties Contractor must be able to service the entire geographical territory/territories and must have personnel physically located in those territory/territories. For more information about the DGS Certified Small Business requirements Small Diverse Business Verification Department of General Services Commonwealth of Pennsylvania
92120000-ITQ-483 TERRITORY B: Harrisburg, Pottsville, Sunbury and Scranton District Offices	Adams, Berks, Bradford, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northampton, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York Counties Contractor must be able to service the entire geographical territory/territories and must have personnel physically located in those territory/territories.

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<p>92120000-ITQ-484 Department of General Services Certified Small Business Only</p> <p>TERRITORY B: Harrisburg, Pottsville, Sunbury, and Scranton District Offices</p>	<p>Adams, Berks, Bradford, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northampton, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York Counties</p> <p>Contractor must be able to service the entire geographical territory/territories and must have personnel physically located in those territory/territories.</p> <p>For more information about the DGS Certified Small Business requirements Small Diverse Business Verification Department of General Services Commonwealth of Pennsylvania</p>
<p>92120000-ITQ-485 TERRITORY C: Pittsburgh, Johnstown and Erie District Offices</p>	<p>Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland Counties</p> <p>Contractor must be able to service the entire geographical territory/territories and must have personnel physically located in those territory/territories.</p>
<p>92120000-ITQ-486 Department of General Services Certified Small Business Only</p> <p>TERRITORY C: Pittsburgh, Johnstown and Erie District Offices</p>	<p>Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland Counties</p> <p>Contractor must be able to service the entire geographical territory/territories and must have personnel physically located in those territory/territories.</p> <p>For more information about the DGS Certified Small Business requirements Small Diverse Business Verification Department of General Services Commonwealth of Pennsylvania</p>

IX. ASSIGNMENT OF SERVICES: When services are required, SWIF will contact the qualified Contractor(s) and assign projects based on Contractor availability and capacity. At that time, SWIF will provide the Contractor with specific information. SWIF will issue a Purchase Order to the Contractor upon their agreement to perform the assigned services.