



STATE OF TENNESSEE
Sports Wagering Council

REQUEST FOR PROPOSALS # 31615-2025-001 AMENDMENT # 2 FOR BACKGROUND INVESTIGATIONS

DATE: MAY 28, 2025

RFP #31615-2025-001 IS AMENDED AS FOLLOWS:

1. This RFP Schedule of Events updates and confirms scheduled RFP dates. Any event, time, or date containing revised or new text is highlighted.

EVENT	TIME (central time zone)	DATE
1. RFP Issued		April 25, 2025
2. Disability Accommodation Request Deadline	2:00 p.m.	April 30, 2025
3. Pre-response Conference	1:00 p.m.	May 1, 2025
4. Notice of Intent to Respond Deadline	2:00 p.m.	May 2, 2025
5. Written "Questions & Comments" Deadline	2:00 p.m.	May 8, 2025
6. State Response to Written "Questions & Comments"		May 28, 2025
7. Response Deadline	2:00 p.m.	June 9, 2025
8. State Completion of Technical Response Evaluations (Sections B. and C., RFP Attachment 6.2)		June 17, 2025
9. State Schedules Respondent Oral Presentation		June 18, 2025
10. Respondent Oral Presentation (virtual)		June 23-25, 2025
11. State Completion of Technical Response Evaluations (Section D., RFP Attachment 6.2)		June 27, 2025
12. State Opening & Scoring of Cost Proposals	2:00 p.m.	June 30, 2025
13. Negotiations	4:30 p.m.	July 1-7, 2025

14. State Notice of Intent to Award Released <u>and</u> RFP Files Opened for Public Inspection	2:00 p.m.	July 9, 2025
15. End of Protest Period		July 16, 2025
16. State sends contract to Contractor for signature		July 17, 2025
17. Contractor Signature Deadline	2:00 p.m.	July 18, 2025

2. State responses to questions and comments in the table below amend and clarify this RFP.

Any restatement of RFP text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFP document.

RFP SECTION	PAGE #	QUESTION / COMMENT	STATE RESPONSE
		1 The RFP mentions both individual/consumer and Business credit reports throughout – is this element of the scope of work a requirement?	Yes.
		2 Will you accept responses from providers who conduct enhanced due diligence investigations, but do not provide credit reports?	No. The respondent must provide credit reports.
		3 Should a la carte pricing and package pricing include added pass-through fees or should we attach a spreadsheet with all state/county pass-through fees to be added in at the time of invoicing?	Any state/county pass-through fees may be added in at the time of invoicing. Pass-through fees are not evaluated in the RFP.
		4 Are there any HRIS software integrations currently or planned?	No.
		5 Does the State of Tennessee Sports Wagering Council have any pain points with its current provider?	No.
		6 Would you please confirm if there is a current contractor performing these background	The current contractor is TruView BSI LLC. The contract has been in place since May 2020.

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		investigations? If so, who is the incumbent and how long have they been performing these services?	
		7 Would you please provide data on the number of sports gaming license applications received on a monthly or yearly basis?	The State estimates that twelve (12) Operator licenses will be issued yearly. Vendor applications will vary.
		8 Are you expecting similar numbers over the course of this contract?	Yes.
		9 How many financial investigations do you anticipate needing on a monthly or annual basis?	The State estimates needing less than one (1) financial investigation annually.
		10 Does every sports gaming license or vendor registration application require a financial investigation? If not, what criteria are used to determine if a financial investigation is required?	No. A financial investigation shall be required only if financial improprieties or discrepancies are identified during the application process.
		11 What level of collaboration and communication is expected between the contractor and the State's agencies throughout the duration of the contract?	The State requires communication upon request and completion of the background investigation (BI). As needed, the State may request progress updates from the Contractor or request further investigation.
		12 What performance metrics or benchmarks will the State use to assess the contractor's effectiveness and compliance with the contract requirements?	The State shall assess the Contractor based on their timeliness, responsiveness, thoroughness, and clarity of background investigation reports.
		13 In regards to subcontractors, our contractors only receive information on the relevant subject, and never have access to any client data. We have several thousand such external ICs under contract with many more under review or in the process of being screened and onboarded at any given time. We do not know in advance which contractor may be used for any task and, as part of our predetermined agreement with	All subcontractors must be approved by the State per section D.7. of the contract. The Contractor shall identify subcontractors, or it would be in breach of the contract. The Contractor may be required to submit information regarding a subcontractor per Terms and Conditions section E.5 and E.6 of the Contract. The Contractor must be required to verify information to the State as required by Terms and Conditions sections D.8, D.10, D.23, D.33, E.5, and E.6.

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		these contractors, we guarantee to protect the confidentiality of the work that they do for us. This, and the fact that our contractor database forms a valuable part of our IP, are the reasons we cannot share specific details of our contractors with you. We shall remain fully liable to its clients for the performance of any such sub-processor's obligations. Would this arrangement be a dealbreaker for the State of Tennessee?	
		14 Typically we price reports on a fixed fee model. Is it ok to provide fixed fee pricing rather than itemized costs?	The respondent must price according to the cost proposal outlined in RFP Attachment 6.3.
		15 What Jurisdictions are your applicants typically located in? If outside of the US can a breakdown of jurisdictions please be provided?	Applicants are located throughout the U.S. International Key Personnel are mostly located in U.K. and Malta.
		16 Would you be open to using a secure web-based platform for the receipt and delivery of reports?	Yes. A web-based platform for the secure receipt and delivery of reports is preferred but not required.
		17 How many existing applicants are anticipated to be reviewed per year?	The State estimates twelve (12) Operators per year, 60 vendors over 3-year period (operators renew annually, vendors renew on every 3 years).
		18 How many new applicants are expected to be added per year?	The State estimates possibly 3-5 new vendors per year.
		19 How many subjects (individuals or companies) per report?	Typically, there is 1 company and an average of 2-3 individuals per report.
		20 Both individual/consumer and Business credit reports are mentioned throughout – is this element of the scope of work a requirement? Or will you accept responses from providers who conduct enhanced due diligence investigations, but do not provide credit reports?	The State requires a contractor that can provide business credit reports when requested.

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		21 Will you allow a vendor to bid for only the "Special Investigation Packages"?	No, the respondent must respond to all sections of the cost proposal, RFP Attachment 6.3, to be considered responsive.
		22 Is it expected for the chosen vendor to include "Financial Investigations" and "Forensic Reports" along with each of the Special Investigation Packages, or are these going to be ad hoc requests that they expect the vendor to take on?	"Financial Investigations" shall be ad hoc requests that the vendor will be expected to take on.
		23 In regards to the RFP Schedule of Events will the response deadline be extended if responses to bidder questions are not provided by COB May 22nd?	Yes. Please refer to Amendment 1 of the RFP in which the changed dates are highlighted.
		24 In regards to A.3's request for financial documentation. Our company is considered a private company and will require an executed Mutual NDA to be able to provide any financial documentation. Is the State of Tennessee willing to sign an NDA if provided by us?	Please refer to RFP section 3.3.2. The State will not sign a Mutual NDA from a respondent to this solicitation.
		25 In regards to C.5. we consider the investigations we perform for clients confidential and we are unable to provide a list of gaming-related entities/subjects investigations conducted for other clients. Will this be a dealbreaker for the State of Tennessee?	No, but an incomplete response may be reflected in evaluation scores.
		26 In regards to C.9 can the State of Tennessee please provide a description of the FBI national criminal background check for Key Personnel?	"The ability to provide the FBI, or the national equivalent in the individual's country of residence, national criminal background check for all Key Personnel" would consist of an appropriate National criminal database check for the Key Personnel in the appropriate jurisdiction.
		27 Can the State be share a copy of the Application(s) (or list of questions covered in the application) that is required to	Yes. Forms are located at: https://www.tn.gov/swac/forms.html

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		receive a sports gaming license and/or vendor registration?	
		28 Will this same application be the application you require a background check provider to review as referenced in Sections A.7-14?	Yes.
		29 Are memberships with both the PBSA and CII required, or will one be sufficient? If both are required, will you allow the awarded bidder time to apply for membership if they are not already members?	Yes. These memberships are per Section A—Mandatory Requirement Items. The memberships are required at the time of response, and it is the vendor's responsibility to have all memberships secured before bidding.
A.6. Financial / Forensic Investigative Services	5	30 Under what professional standards does the State expect the contractor to conduct the financial investigations?	No preference on the professional standards as long as "The Contractor shall ensure that all investigations comply with all relevant laws and regulations and conform to industry best practices."
A.6. Financial / Forensic Investigative Services	5	31 Will the contractor be required to collaborate with other state or federal agencies during the financial investigations? If so, which agencies will be involved? Similarly, will the contractor be required to utilize source documents, reports or other data prepared for by other state agencies? Please provide which agencies will be involved.	No, the Contractor will collaborate with the Sports Wagering Council. If a Forensic Investigation is required, the SWC will acquire any documentation from other State agencies.
6.2 Section C	24	32 Who are the intended users of the background investigation reports and financial investigative reports? Are they intended for internal use or do you plan to make the reports public?	Reports are for internal use for assessing applicants' suitability and not intended for public dissemination.
6.3 Cost Proposal & Scoring Guide	28	33 What is the expected volume of background investigations to be completed under this contract?	The estimated volume of background investigations to be completed under this contract is approximately 1600. A breakdown for each type of background investigation package is in RFP 6.3 COST PROPOSAL & SCORING GUIDE, which includes the estimated number of packages for New Operator, New Vendor, Renewal Operator, and Renewal Vendor.

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6.3 Cost Proposal & Scoring Guide	28	34 What is the anticipated percentage of domestic vs international background investigations?	The percentage of domestic vs international background investigations to be completed under this contract is estimated to be less than 5% total international checks for operators and vendors and approximately 25% international checks for key personnel. An estimate for each type of international search is in RFP 6.3 COST PROPOSAL & SCORING GUIDE.
6.3 Cost Proposal & Scoring Guide	29	35 What are the requirements for criminal/civil record searches? Are court runners required or is a database-only search sufficient?	Court runners are not required for criminal/civil record searches, database searches are sufficient.
6.3 Cost Proposal & Scoring Guide	29	36 What are the requirements for statewide criminal record searches? Is it based on the applicant's residential history?	Yes, statewide criminal records searches are based on applicant's residential history.
6.3 Cost Proposal & Scoring Guide	30	37 What are the State's requirements for employee verification? Is it for current employment only?	No, it is not for current employment only. The Sports Wagering Council application for Key Personnel undergoing investigation states, "Provide the information regarding your employment for the past twenty years or from age 18, whichever is less." This is the expected level of employee verification.
6.3 Cost Proposal & Scoring Guide	30	38 Is direct verification with employer required?	No. A third-party verification service may be used if the employment of Key Personnel undergoing investigation cannot be verified directly with the employer/former employer.
6.3 Cost Proposal & Scoring Guide	30	39 What are the State's requirements for reference checks?	Reference checks of Key Personnel under investigation may be completed with an email reference questionnaire provided to and completed by the Key Personnel's provided reference.
6.3 Cost Proposal & Scoring Guide	30	40 Are the checks a review of references submitted or interviews with personnel familiar with the applicant?	When the Contractor performs Application Reviews of Key Personnel undergoing investigation, the applicant will provide three (3) references who can respond to a reference questionnaire. Interviews with the references are not required.

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6.3 Cost Proposal & Scoring Guide	30	41 What are the State's requirements for what should be reported from the Motor Vehicle Report?	The Contractor is expected to report the confirmation of the driver's license and any violations or suspensions.
6.3 Cost Proposal & Scoring Guide	30	42 Please detail the State's requirements for the Application Review.	The Application Reviews confirm there is no missing information, discrepancies, or items of concern identified in the Applicant's application, and other documentation provided to the SWC.
6.3 Cost Proposal & Scoring Guide	31	43 Does Key Personnel represent one individual or all key personnel of an entity?	The Key Personnel (KP) represents one individual.

3. Add the following as RFP Attachment 6.6. *Pro Forma Contract*, section A.2.o. and renumber any subsequent sections as necessary:

o. "Standard Employment Verification" means verification of Key Personnel's current and former employment for the past twenty years or from age 18, whichever is less. A third-party verification service may be used if the employment of Key Personnel cannot be verified directly with the employer/former employer.

4. Add the following as RFP Attachment 6.6. *Pro Forma Contract*, section A.6.a. and renumber any subsequent sections as necessary:

A.6. Financial / Forensic Investigative Services.

- a. The Contractor shall be required to conduct a financial investigation only if financial improprieties or discrepancies are identified during the application process or if requested by the State.

5. **RFP Amendment Effective Date.** The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.