



Purchasing Department  
4400 University Drive, Mailstop 3C5  
Fairfax, VA 22030  
Voice: 703.993.2580 | Fax: 703.993.2589  
<http://fiscal.gmu.edu/purchasing/>



**REQUEST FOR PROPOSALS**  
**GMU-1572-19**

**ISSUE DATE:** March 15, 2019

**TITLE:** Internal Investigation Services

**PRIMARY PROCUREMENT OFFICER:** James F. Russell, Director, [jrussell@gmu.edu](mailto:jrussell@gmu.edu)

**SECONDARY PROCUREMENT OFFICER:** Erin Rauch, Assistant Director, [erauch@gmu.edu](mailto:erauch@gmu.edu)

**QUESTIONS/INQUIRIES:** E-mail all inquiries to both Procurement Officers listed above, no later than 4:00 PM EST on March 26, 2019. **All questions must be submitted in writing in WORD format.** Responses to questions will be posted on the Mason Purchasing Website by 5:00 PM EST on March 29, 2019, 2018. Also see section III. COMMUNICATION, herein.

**PROPOSAL DUE DATE AND TIME:** April 9, 2019 @ 2:00 PM EST. Hand deliver or mail proposals directly to the address above. Electronic submissions will not be accepted. A public opening will not be held. Late proposals will not be accepted.

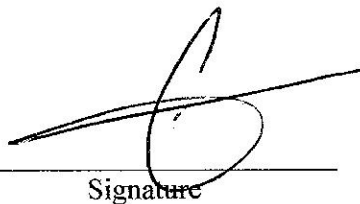
**Note:** A return envelope is not being provided. It is the responsibility of the Offeror to ensure the proposal is submitted in a sealed envelope, box, container, etc. that clearly identifies the contents as a proposal submission in response to this Request for Proposal. See Section XI, Paragraph C herein. If delivering proposals by hand, deliver to the Purchasing Department located in Suite 4200 of Alan and Sally Merten Hall (Merten Hall), Fairfax Campus. Campus Map

**In Compliance With This Request For Proposal And To All The Conditions Imposed Therein And Hereby Incorporated By Reference, The Undersigned Offers And Agrees To Furnish The Goods/Services In Accordance With The Attached Signed Proposal Or As Mutually Agreed Upon By Subsequent Negotiations.**

Name and Address of Firm:

Legal Name: Twitty Legal Consulting PLLC Date: 04/8/19

DBA: Twitty Legal Consulting PLLC By: \_\_\_\_\_



Signature

PO Box 406, Sandston, VA 23150

FEI/FIN No.: 465685620

Name: Crystal Y. Twitty

Fax No.: (804) 326-1558

Title: CEO/Founder

Email: twittylegalconsulting@gmail.com

Telephone No.: (804) 726-0423

SWaM Certified: Yes: X No: \_\_\_\_\_ (See Section VII. SWaM CERTIFICATION for complete details).

SWaM Certification Number: 711858

This public body does not discriminate against faith-based organizations in accordance with the *Governing Rules*, § 36 or against a Bidder/Offeror because of race, religion, color, sex, national origin, age, disability, or any other prohibited by state law relating to discrimination in employment.

**RFP# GMU-1572-19**

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ATTACHMENT A    VENDOR DATA SHEET	(Last)



To: Mr. James F. Russell  
Director  
Purchasing Department  
George Mason University

From: Crystal Y. Twitty, Esq. *CYT*  
**Twitty Legal Consulting, PLLC**  
eVA Vendor #: VS0000133071  
SWAM/Micro-business and DSBSD #: 711858  
EIN#: 465685620

Re: **Request for Proposal – Internal Investigation Services**  
**RFP Number: GMU-1572-19**

Date: April 8, 2019

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**Specific Requirements (response to RFP Paragraph XI, Section B (1-3), page 5)**

1. All Requested Information: Section IX, STATEMENT OF NEEDS.

**A. A track record of having a legal background with strong ability to handle high-level work place issues.**

Crystal Twitty of Twitty Legal Consulting ("TLC") has been practicing law for over 15 years and is highly qualified. TLC has performed numerous work place internal investigations and environmental assessments (i.e., harassment, discrimination, hostile work environment, bullying, and retaliation) including conducting trainings on related subject matter for public and private sector clients in the Commonwealth of Virginia and across the country. TLC specializes in employment law and has a unique understanding of the higher education organizational structure, human resources departments, and complaint process.

The need for work place investigations and assessments have increased significantly. Accordingly, the importance of conducting proper and objective

investigations is critical. TLC has the expertise to execute trainings and investigations in a timely manner consistent with law and policy to minimize potential exposure.

**B. At all times, maintaining the confidentiality and integrity of the process only sharing information as authorized by Human Resources and Payroll.**

- TLC will maintain confidentiality and will not disclose any information about the investigation without express permission from the University (i.e., Human Resources and Payroll).
- TLC will comply ethically and maintain professionalism with all University officials, parties, witnesses, and any other individuals throughout the investigation process.
- If TLC receives a request for information from any individual, party, or third party entity, TLC will first notify the University (i.e., Human Resources and/or Payroll) regarding the nature of the request and seek guidance on whether to release within the context of law or policy.
- TLC's work may be subject to attorney work product privilege, and will be handled in a confidential manner.

**C. The investigator must be comfortable having contact with everyone involved (complainant, respondent, witnesses).**

- TLC is comfortable having contact with everyone involved in investigations. Specifically, TLC will advise Complainant, Respondent, and witnesses of their rights in the process before commencing an interview or conducting meetings.
- TLC will extend the time frame for investigation upon reasonable request by the parties or for good cause shown, after consultation with Human Resources.
- TLC will maintain the confidentiality of everyone involved and will not disclose any information about the investigation beyond a need to know basis or without the express permission of Human Resources and/or Payroll.

- TLC will comply ethically and maintain professionalism with everyone involved in the investigation process.

**D. Investigations must be conducted in a prompt, impartial and equitable manner consistent with relevant federal, state and university policies and procedures.**

- TLC will conduct investigations in a prompt, impartial, and equitable manner consistent with applicable law and university policies/procedures.
- TLC will arrange an initial meeting with university officials or Human Resources by phone or in-person to discuss the approach to each particular case and to ensure compliance with policy.
- TLC will initiate timely contact with the parties shortly after issuance of any notices of investigation by the university or Human Resources.
- TLC will provide regular status updates by phone and/or email regarding the investigation process and identify any potential areas of exposure.
- TLC will review applicable policies and procedures along with any information provided by the university and/or Human Resources/Payroll.
- The university or Human Resources/Payroll may provide substantive investigations protocol training and various templates for internal reporting.
- TLC will continue to consult with the university and/or Human Resources/Payroll as needed or required during the course of the investigation.

**E. The investigator will oversee the timely and thorough collection of all necessary documents and statements that would be relevant in the investigation.**

- TLC will receive and review all relevant documentation and statements regarding the reported prohibited conduct in preparation for the investigation of the case.
- TLC will collect all evidence (e.g., physical, documentary, testimonial) to include, but not limited to, questioning of witnesses and parties, if they choose to participate in the investigatory process.

- TLC will transcribe witness testimony, as needed.
- TLC will write the final investigative report, which may include recommended findings based on the evidence; any alleged violations of policy; and application of the preponderance of the evidence standard or other university standards.

**F. Experience writing executive summaries and providing oral briefings.**

- TLC has conducted numerous investigations/assessments and has provided both written executive summaries and oral briefings to clients at the highest level of leadership.
- TLC provides candid and concise feedback in a fair and objective manner.

**G. The ability to conduct training for Mason where legal vulnerabilities put the organization at risk.**

- TLC has conducted over 50 trainings for clients with audiences, which include employees, management, board of directors, human resources officials, and compliance departments, in both the public and private sector on issues that often put the organization at risk.
- Trainings have ranged from issues on harassment prevention, discrimination, hostile work environment, retaliation, and overall best practices for managers and human resources departments.

**H. Extensive experience representing both employers and employees which will help create an objective view.**

- TLC has primarily provided guidance to employers in both the public and private sector. However, during investigations or assessments, TLC always strives to maintain a fair and objective approach without a bias toward any particular party or employer.
- During law school, I had the opportunity to work with the Virginia Legal Aid Clinic and represented employees before the Virginia Employment Commission (VEC).

- I also serve and have formerly served on the Board of Directors for several non-profits, which advocate for individual rights and seek to expose inequities in the law that may unfairly impact certain populations. For instance, I am very active with the Virginia State Bar and serve on the Access to Justice Committee.
- Employers and employees have often commented on how TLC has treated parties fairly and the ability to provide objective feedback during the investigation process including reporting.

**I. Prior experience working with Human Resources Departments and Equity office.**

- TLC has previously worked with the Mason Human Resources Department and Equity office on numerous investigations (Title VII and Title IX) and environmental workplace assessments.
- TLC also works very closely with other public and private sector clients, which have included conducting trainings, work place investigations, and environmental assessments.
- Please see References in Section 3 below.

**J. Mason prefers that any training courses that are provided be approved by the Human Resource Certification Institute.**

- TLC welcomes the opportunity to have any training courses pre-approved or approved by the Human Resource Certification Institute.
- TLC values client feedback and any efforts to ensure consistency throughout trainings or investigations.

**K. Authorization by Human Resources of any and all changes pertaining to the investigation including, extending the timeframe.**

- TLC will provide regular status updates by phone and/or email regarding the investigation process and identify any potential areas of exposure.
- TLC will consult with Human Resources as needed or required during the course of the investigation.

- TLC will extend the timeframe for any investigations only after consultation with the university and/or Human Resources.

**L. Reimbursable expenditures (including postage, parking, photocopying, etc.) will be billed at cost with no mark-up. Reimbursable travel expenditures will be billed according to the current rates allowed by the Commonwealth of Virginia. For further detail see: <https://fiscal.gmu.edu/travel/learn-about-meals-per-diem-rates/per-diem-rates/>.**

- TLC agrees to adhere to any internal or external policies related to reimbursable expenditures or travel expenses as outlined above.

**M. Prior approval must be obtained for any member of the firm other than the approved investigators to work on a matter or to conduct legal research.**

- Crystal Twitty of Twitty Legal Consulting (“TLC”) will serve as the single investigator from the firm.
- TLC will obtain the express approval from the university or Human Resources before any other member or individual of the firm works on a matter or conducts legal research.

**N. A final report should be issued within the agreed upon timeframe.**

- TLC will issue the final investigation report within the agreed upon timeframe, which includes the recommended findings based on the evidence, the alleged violations of policy, and application of any evidentiary standards.
- TLC will only extend any agreed upon timeframes with the express permission of the university and/or Human Resources.

**2. General Firm Background and Information (response to RFP “Specific Requirements”, Paragraph XI, Section B (2), page 5:**

Crystal Twitty of Twitty Legal Consulting (“TLC”) has been practicing law for over 15 years and is highly qualified. TLC has performed numerous work place internal investigations and environmental assessments (i.e., harassment, discrimination, hostile work environment, bullying, and retaliation) including conducting trainings on related subject matter for public and private sector clients in the Commonwealth of



Virginia and across the country. TLC specializes in employment law and has a unique understanding of the higher education organizational structure, human resources departments, and complaint process.

The need for work place investigations and assessments have increased significantly. Accordingly, the importance of conducting proper and objective investigations is critical. TLC has the expertise to execute trainings and investigations in a timely manner consistent with law and policy to minimize potential exposure.

Please visit [www.twittylegalconsulting.com](http://www.twittylegalconsulting.com) for more information on the firm.

**3. References (response to RFP “Specific Requirements”, Paragraph XI, Section B(3), page 5:**

a) Ms. Regina Ryder  
Human Resources Consultant/Employee Relations  
George Mason University  
Merten Hall, 4th Floor  
(703) 993-2621  
[rryder3@gmu.edu](mailto:rryder3@gmu.edu)

(\***Scope of Services:** conducted internal investigations in response to employee complaints, which primarily included allegations of harassment, discrimination, retaliation, and hostile work environment).

b) Ms. Kay Heidbreder  
University Legal Counsel  
Virginia Tech  
236 Burrus Hall  
Blacksburg, VA 24061  
(540) 231-6293  
[heidbred@vt.edu](mailto:heidbred@vt.edu)

(\***Scope of Services:** conducted internal investigations in response to employee complaints, which primarily included allegations of harassment, discrimination, retaliation, and hostile work environment; has also observed training, which I conducted on behalf of the Office of the Attorney General/Education Division).

c) Ms. Pamela Mason  
Office of Compliance and Equity  
College of William and Mary  
James Blair Hall 102  
Williamsburg, VA 23185  
(757) 221-3167  
[phmaso@wm.edu](mailto:phmaso@wm.edu)

(\***Scope of Services:** conducted internal investigations in response to employee complaints, which primarily included allegations of harassment, discrimination, retaliation, and hostile work environment).

d) Ms. Pamela F. Boston  
University Counsel  
Norfolk State University  
700 Park Avenue  
Norfolk, Virginia 23504  
(757) 823-2293 (phone)  
[pfboston@nsu.edu](mailto:pfboston@nsu.edu)

(\***Scope of Services:** conducted internal investigations in response to employee complaints, which primarily included allegations of harassment, discrimination, hostile environment, and retaliation; has also observed training, which I conducted on behalf of the Office of the Attorney General/Education Division).

## **Other**

### **1. Cost of Services (response to RFP, Paragraph X, page 4):**

- For investigation and consultation/training services, TLC will charge \$175.00/hour and seek reimbursement for any travel related expenses per the University's per diem rates.

### **2. Payment Terms/Method of Payment (response to RFP, Paragraph XIV, page 7):**

- TLC will invoice monthly or at the conclusion of each investigation.
- TLC will reference the purchase order number on all invoices submitted for payment.
- TLC elects **Option #3** for payment – Net 30 payment terms (Paymode-X, and as specified under the above referenced section).

### **3. Proprietary Information:**

**NONE included in this RFP.**

### **4. Vendor Status and Contract Endorsement:**

- **Attachment A** (page 9) is included/attached with endorsement.

- TLC is certified with the Virginia Department of Small Business and Supplier Diversity (SBSD) and considered a: (1) Microbusiness and (2) Small, Women, and Minority-owned business (meets all three specifications).
- TLC is current on all vendor registrations including eVA (Commonwealth's procurement system).
- If selected based on this proposal, TLC will endorse any related contractual agreements (as specified in Attachment B, Standard Contract, of the RFP, pages 10-15).

***\*This concludes the RFP GMU-1572-19.***

**ATTACHMENT A**  
**VENDOR DATA SHEET**  
**TO BE COMPLETED BY OFFEROR**

1. **QUALIFICATION OF OFFEROR:** The Offeror certifies that they have the capability and capacity in all respects to fully satisfy all of the contractual requirements.

2. **YEARS IN BUSINESS:** Indicate the length of time in business providing this type of service:

Type of Business: Consulting/Legal Services. \_\_\_\_\_ 5 \_\_\_\_\_ Years \_\_\_\_\_ 4 \_\_\_\_\_ Months

3. **BUSINESS STATUS:**

A. Type of organization (circle one):

Individual  
Sole Proprietor

Partnership  
Government

Corporation  
**Other (explain): Disregarded Entity**

B. Category (circle one):

Manufacturer/Producer  
Service Establishment

Mfg.'s Agent  
Distributor

Retailer  
Wholesaler

**Other (explain): Consulting Legal Services**

C. Status: (Please check all applicable classifications) If your classification is certified by the Virginia Department of Small Business and Supplier Diversity (SBSD), provide your certification number: **711858**. For certification assistance, please visit <http://www.sbsd.virginia.gov/>. You must be certified with **VIRGINIA SBSD** to qualify.

  X   (MB) MINORITY OWNED: "Minority-owned business" means a business that is at least 51% owned by one or more minority individuals who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51% of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more minority individuals who are U.S. citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more minority individuals.

  X   (WB) WOMAN OWNED: "Women-owned business" means a business that is at least 51% owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51% of the equity ownership interest is owned by one or more women who are citizens of the United States or legal resident aliens, and both the management and daily business operations are controlled by one or more women.

  X   (SB) SMALL BUSINESS: Small business" means a business that is at least 51% independently owned and controlled by one or more individuals who are U.S. citizens or legal resident aliens, and together with affiliates, has 250 or fewer employees, or average annual gross receipts of \$10 million or less averaged over the previous three years. One or more of these individual owners shall control both the management and daily business operations of the small business.

       LARGE BUSINESS

I certify the accuracy of this information:

Signed: \_\_\_\_\_

Title: CEO/Founder

Printed Name: Crystal Y. Twitty

Date: 4/8/19