

Questions and Responses
Custodial Services RFP
9/25/2025

Is the indemnification language that is included in the sample contract negotiable? Would SMU consider removing the language from the indemnification section sample/actual contract?

Vendors are allowed to submit requested exceptions/deviations to SMU's standard contract language as a part of the RFP response. As noted in Section 3.2 Evaluation Criteria, requested exceptions/deviations will be included in the evaluation process.

The insurance portion of the RFP documents mentions a response requirement of a "description of its claim history". A general description of claims history can contain a significant amount of Personally Identifiable Information (PII), creating a level of exposure for proposing bidders. Can the University provide additional clarification and guidance relating to the intent of this request (i.e.: specific claim types, timeframes, etc.)? This additional clarification will allow proposing bidders to narrow the response and provide the specific information the University is requesting without the risk of PII exposure.

SMU is only expecting a summary of claim history and no PII needs to be provided or can be redacted. The summary can be reporting the total number of claims and claim amounts.

The University requires proposing suppliers to conduct extensive background checks prior to assigning any employee to work under the University's contract. Given the critically sensitive nature of these positions, and the potential contact with students and other vulnerable populations, does the University require that proposing bidders directly employ the workforce delivering services under the core scope of this contract? Direct employment allows the supplier to provide confirmation that background investigations were completed in compliance with applicable laws. By contrast, providers relying on subcontracted or 1099 labor are often constrained to an attestation-based model, due to the Fair Credit Reporting Act (FCRA, 15 U.S.C. §1681 et seq.), which prohibits subcontractors from sharing full background investigation details containing Personally Identifiable Information (PII) with the prime contractor. Requiring direct employment would therefore ensure that the selected supplier maintains full responsibility and accountability for meeting the University's background check and safety standards.

Yes, SMU's intent is that the selected vendor directly employ all employees assigned to SMU.