



STATE REGULATORY REGISTRY LLC

REQUEST FOR PROPOSAL

STATE REGULATORY REGISTRY LLC

RFP TITLE:

JOB ANALYSIS SERVICES

ISSUE DATE: JUNE 24, 2014

UPDATED: JULY 22, 2014

Notice - Since this RFP was issued on June 24, there have been several Questions & Answers posted which responded to questions by potential bidders. These Q&As clarify many parts of the RFP and in several instances change one or more of the RFP requirements. Those Q&As are made a part of this RFP at Appendix D.

PROPOSALS DUE:

AUGUST 15, 2014 NO LATER THAN 5:00 P.M. EASTERN TIME

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1 Background Information

The State Regulatory Registry LLC (SRR), an affiliate of the Conference of State Bank Supervisors (CSBS) and the operator of the Nationwide Mortgage Licensing System and Registry (NMLS), seeks proposals to provide services related to the testing requirements of Title V, the SAFE Mortgage Licensing Act of the Housing and Economic Recovery Act, Public Law 110-289 (SAFE Act).

CSBS was established in 1902 to serve as a clearing house of ideas to solve common problems of state bank regulators. For more than one hundred years, CSBS has been uniquely positioned as the only national organization dedicated to protecting and advancing our nation's dual banking system. Each state bank commissioner, as well as the commissioners in the District of Columbia and the American territories, is a member of CSBS.

CSBS, in cooperation with the American Association of Residential Mortgage Regulators (AARMR), established SRR on September 29, 2006. SRR is to develop and operate nationwide systems for state regulators in the financial services industry. Such systems are intended to enhance states' ability to protect consumers; improve supervision and enforcement of licensed entities; and streamline licensing and other processes for state agencies and the industry through the use of modern technology and centralizing redundant state agency operations.

SRR operates NMLS that has been developed by state regulators. NMLS began operations on January 2008, and initially was used by state residential mortgage regulators to process licenses by mortgage companies and loan officers (MLOs). In 2011 and 2012, NMLS began processing registrations for depository MLOs and state licensing for entities in consumer lending, debt and money services business industries, respectively.

On July 30, 2008, President Bush signed into law the SAFE Act, which encourages states to develop systems of licensing for individual mortgage loan originators (MLOs) that meet minimum standards. A link to the law, title V, a summary of Title V, the mandates of SAFE, and MLO requirements, is included here <http://mortgage.nationwidelicencingsystem.org/safe/Pages/default.aspx>. The SAFE Act, as amended, includes various mandates for the mortgage loan industry, the states, Consumer Financial Protection Bureau (CFPB), CSBS and AARMR and NMLS.

More specifically the SAFE Act mandated NMLS to:

- Establish protocols for the issuance of unique identifiers for all MLOs.
- Receive and process fingerprints for criminal history background checks for all MLOs.
- Review and approve, using reasonable standards, pre-licensure and continuing education courses.
- Develop a qualified written test and approve test providers.
- Develop a mortgage call report.
- Provide public access to licensing information.

The focus of this RFP is to support the “development of the qualified written test” through the development, administration, and documentation of a nationwide job analysis study.

2 History of the NMLS Testing Program

Testing Requirements - Section 1505 (d) of the SAFE Act requires NMLS to develop a qualified written test to measure the applicants' knowledge and comprehension in appropriate mortgage subject areas, including ethics, federal law, state law, and laws and regulations covering fraud, consumer protection, fair lending and the nontraditional mortgage marketplace.

Design and Development – In January 2009, SRR selected a national firm to provide test development, maintenance and administration services as required by the SAFE Act.

To meet the SAFE Act test requirements, which include both federal and state content, the SAFE MLO Test was initially designed to include two parts—a National Component and a Unique State Component. Applicants wishing to meet the testing requirement for any given state were required to pass the National Component and the respective State Component, and existing licensees at the time were required to meet the requirements by December 31, 2010.

2009 Job Analysis Study - In 2009, SRR conducted a job analysis study to review and confirm the content outlines for the National and Unique State Components of the SAFE MLO Test. Job analysis studies are conducted to ensure that licensure tests reflect the current industry practices, relevant job functions, and laws and regulations of the field in question. The job analysis study was performed in two phases:

- Phase I encompassed a large national electronic survey to validate topics covered in National and Common State Test content outlines.
- Phase II built upon the information gathered from Phase I and delved deeper into the content covered in each content outline topic.

The testing industry standard is that a job analysis study be conducted every four to six years, depending on the profession. Therefore, SRR is issuing this RFP for a job analysis study to be completed in 2015.

The National Test Component - The SAFE MLO Test was constructed using input from the National Mortgage Review Committee (NMRC). This committee consisted of over 90 subject matter experts from 34 states including representatives from both the mortgage industry and state mortgage regulators. Each person was selected based on his or her expertise in the residential mortgage loan industry. Working with a test content developer, NMRC developed and approved the National Content Outline. Using the Content Outline as the basis or blueprint for developing the test questions, the NMRC went on to review and approve each question on the National Component of the SAFE MLO Test. The National Component was made available for testing on July 30, 2009.

State Test Components - The NMRC also assisted in the development of a common template for the Unique State Component Content Outlines. The result was a template content outline that each state would use as a basis for its test component but could also customize to suit each state's specific needs. Each Unique State Component was also developed with the cooperation of a committee of subject matter experts from the respective states. The committees included both industry professionals and regulators. Committee members, who were selected based on their knowledge of state laws and MLO practices, were approved by NMLS.

These committees utilized the common template for the state content outline and customized it for a state's particular rules and regulations. Each state committee also reviewed and unanimously approved each test question. The first eleven state test components were available for MLO testing on July 30, 2009.

Uniform State Test (UST) - In 2012, the Uniform State Content was developed by the NMRC as an additional section of the National Test Component. Launched on April 1, 2013, the test covers high-level state content that is not state-specific, but tests candidates on the SAFE Act and CSBS/ARRMR Model State Law. Candidates that pass the National with Uniform State Content satisfy the testing requirements for any state that adopts it. As of April 28, 2014, 40 out of 59 state agencies have adopted the UST to satisfy their state testing requirements for licensure. Additional state agencies are expected to adopt it in the future, but agencies are not required to do so.

About 47,000 of eligible licensees enrolled to take a special 25-question component of the UST, called the Stand-alone UST, while it was available from April 1, 2013 through March 31, 2014.

Test Features - The National Test with Uniform State Content consists of 125 questions – 115 scored and 10 unscored (pretest), while the Unique State Test Components have 45 – 55 scored and 10 unscored questions. All test questions are four-option multiple choice.

Test Maintenance – Once a test component is developed and published, SRR works with its testing vendor to monitor its performance and maintain each component regularly. A team of test developers and psychometricians regularly review the components to make sure they are accurate and performing appropriately.

SRR utilizes several sources to assess the accuracy and validity of the test components. SRR, its vendors, state regulators, and industry subject matter experts regularly review federal and state laws and regulations to determine if the questions on the test components are accurate and up-to-date. In addition, each test component undergoes a regular maintenance process that involves reconvening the committees of subject matter experts to examine all test questions and their performance.

Cut Score and Test Performance – The SAFE Act reads, “An individual shall not be considered to have passed a qualified written test unless the individual achieves a test score of not less than 75 percent correct answers to questions.” SRR has conducted multiple standard setting studies and administers pre-equated forms to the appropriate level of difficulty to meet the required 75% cut score on all tests. SRR continually monitors the performance of all test components, and monitors the performance of all test items, as well.

Test Administration – SRR utilizes a network of test centers by a third-party vendor to deliver the computer-based SAFE MLO tests. There have been over 810,000 tests administered since testing began in August of 2009.

3 Bidder Qualifications

In order to provide sufficient quality of service, Bidders should possess the following qualifications:

1. Background in assisting organizations with high-stakes test development and maintenance activities in the area of licensure or certification.
2. Experience conducting nationwide job analysis studies in the area of licensure and certification.
3. Experience facilitating in-person as well as virtual (webinar) committee meetings with subject matter experts (SMEs).

4. Experience in understanding of the best practices in the testing industry according to the American Educational Research Association, American Psychological Association, National Council on Measurement in Education Standards for Educational and Psychological Testing.
5. Experience in administering an online nationwide survey to over 100,000 individuals.
6. The ability to provide and use an online survey platform to administer an electronic survey to a high volume of individuals.
7. The ability to provide and use an online collaborative platform to conduct committee meetings (Webex, GoToMeeting, etc).
8. Experience in analyzing, synthesizing, and reporting the results of a job analysis study in a form that is useful to a sponsoring organization and/or SME committees.
9. Experience in facilitating a panel of subject matter experts in defining a list of Knowledge, Skills and Abilities (KSAs) and Task Statements.
10. Experience in developing an online survey to assess the importance and relevance of knowledge and skills related to a professional license or certification.
11. Experience in facilitating a panel of subject matter experts in refining test specifications and content outlines.

4 Proposed Process for Job Analysis Study

SRR desires to validate the content of the SAFE MLO National Test with Uniform State Content using a job analysis study to be completed within the 2015 calendar year. In order to accomplish this, SRR believes the following steps are required:

1. Identify the responsibilities of a residential mortgage loan originator (MLO).
2. Identify the knowledge a mortgage loan originator is generally expected to master.
3. Identify a representative sample of mortgage industry subject matter experts (SMEs) to collaborate on various steps of this process.
4. Systematically define tasks a minimally competent mortgage loan originator is expected to competently perform at time of licensure.
5. Systematically define Knowledge Skills and Abilities (KSAs) for a minimally competent mortgage loan originator at the time of licensure
6. Ensure that each KSA links to at least one Task as previously defined.
7. Develop a survey to assess the importance of each Task and KSA. Create ratings that will assess these appropriately to inform the remainder of the process.
8. Develop a sampling strategy in order to gather a representative sample of survey responses.
9. Survey actual practitioners in the industry, as well as regulatory personnel. Ensure the number of responses meet the goals of the sampling strategy.
10. Compile results of the survey in a format that will assist in validating or revising the existing content outline and test specifications.
11. Determine final content outline and test specifications based on the results of the job analysis study.
12. Document the results of the study in a final report.

If Bidders believe these activities are fundamentally incorrect, or major activities are missing, it should be pointed out in the Bidder's response.

5 Statement of Work

Once a successful Bidder has been chosen, SRR requires that the following services be provided by the vendor during the course of the engagement, for the purpose of validating the SAFE MLO National Test with Uniform State Content.

5.1 Pre-survey research and analysis

SRR expects the vendor to perform initial research and analysis of the job of a residential MLO, to include research and analysis of information such as job descriptions, interviews, or other statistical data. SRR will provide data on residential MLOs, as needed.

SRR expects the selected vendor to facilitate Subject Matter Expert (SME) committee meetings to define a list of KSAs and Task Statements in preparation for survey administration. These meetings should be conducted in-person at a mutually agreed upon location. SRR will recruit SMEs for these meetings to include approximately 20 to 25 mortgage regulators and industry professionals.

The current content outline and reference list for the National Test with Uniform State Content is included in **Appendix A**.

5.2 Survey Administration

In coordination with SRR and utilizing the recommendations of the SMEs, the vendor will develop and administer an online survey to a representative sample of state-licensed mortgage loan originators¹ and state mortgage regulators. The purpose of the survey is to measure the importance and relevance of the KSAs and Tasks of a mortgage loan originator. The vendor will evaluate and synthesize the results of the survey into a final report. The vendor will provide and use an online tool to administer the survey.

To understand the scope of survey administration, additional data is included in **Appendix B**, including total number of individuals who have taken the National Test by year, and the total number of active residential mortgage loan originators. SRR has access to contact information for all mortgage loan originators through NMLS, as well MLO testing history and results.

5.3 Test Specification Evaluation

Following the administration of the survey, the vendor will facilitate SME committee meetings to evaluate the results of the survey. The purpose of these meetings will be to determine what changes, if any, are needed to the test specifications and content outlines for the SAFE MLO National Test with Uniform State Content. The vendor will also identify new content areas that may require item writing during the test maintenance process. These meetings can be conducted in-person or virtually via webinar, and will include the same or a similar group of SMEs as described in section 5.1 of this RFP. The vendor will assume all meeting expenses.

¹ In addition to state-licensed MLOs, NMLS is used to register MLOs that represent federally insured depository institutions. Currently, there are approximately 393,000 federally registered MLOs. At this time, SRR has not decided whether to survey that population, as well. Bidders may wish to address this in their proposal with a recommendation.

The successful bidder can expect to begin work on job analysis activities on or about January 2, 2015 and to complete all activities no later than July 1, 2015.

A final report will be required that summarizes the results of the job analysis and provides documentation on the data collected during the survey administration and the SME meetings. The report should be completed and submitted to SRR no later than September 1, 2015.

6 Timeline for This RFP

The SRR has developed the following list of key events to this RFP. All deadlines are subject to change at the SRR's discretion.

No	Events	Key Dates
1	RFP issued	June 24, 2014
2	Calls with prospective bidders to answer questions about the RFP. <i>(Individual calls will be scheduled with qualified vendors who would like an opportunity to ask questions about the RFP. *)</i>	July 15, 16, 17, 2014
3	RFP re-issued with Questions and Answers	July 22, 2014
4	Notice of intent to bid	July 25, 2014
5	Proposals due	August 15, 2014
6	Evaluation period	August 15 – September 30, 2014
7	Awarded Bidder notification	October 1, 2014
8	Contract negotiations	October 1 – December 1, 2014
9	Kick-off meeting with selected vendor	Early December, 2014
10	Anticipated Start Date	January 2, 2015

*Prospective vendors wishing to participate in these one-on-one calls should contact Matt Comber via email, at mattcomber@csbs.org to set up an appointment on one of the three days listed. Following the individual vendor calls, SRR will publicize the answers to material questions.

7 Submissions Of Proposals

Companies wishing to submit a proposal must first submit a Notice of Intent to Bid (see **Appendix C**). Those companies will be provided with separate instructions regarding the bid submittal process. SRR will employ a secure online document and project management application to manage the receipt of bid material and correspondence with bidders. SRR will provide bidders with appropriate instructions following the Notice of Intent to Bid date, due by July 25, 2014.

SRR must receive all submissions electronically, no later than 5:00 pm Eastern Time (ET), Friday, August 15, 2014. SRR reserves the right not to accept proposals received after this date and time. Bidders may submit their proposals any time prior to the stated deadline.

SRR maintains the right to accept or reject any proposal without further discussion or justification.

SRR bears no responsibility for any costs or fees any vendor incurs to develop or deliver its proposal.

All communication with the SRR must be in writing and must be directed to Matt Comber, SRR point of contact for this RFP, via email: mcomber@csbs.org

8 Bidder Proposal/Presentation Contents

The Bidder's proposal should include all of the information listed in Section 8.1 to 8.5 below.

8.1 Contact Information

1. Bidder's company name, address, telephone and fax numbers, federal tax identification number, and Bidder Website URL.
2. Name, title, telephone number, and email address of the individual who will act as Bidder's designated representative for purposes of this RFP.

8.2 Executive Summary or Abstract

The Bidder should include a description of the company, an overview of the company's history, and a high level overview of the Bidder's proposal.

8.3 Overview of Bidder Qualifications

1. Provide an overview of Bidder's qualifications as described in Section 3 above.
2. Describe past experiences with testing services in licensure or certification, in particular experience conducting job analysis studies for licensure or certification testing programs.
3. Provide past customer experience, including at least two customer references.
4. Provide rationale as to what distinguishes Bidder as uniquely qualified to provide the services described in this RFP package.

8.4 Description of Approach

Provide a description of the proposed process and timeframes, including:

1. Schedule, including major activities and major milestones
2. Description of the Bidder's team, including a bio for each staff member assigned to the project, and the level of allocation each staff member will have to this effort
3. Use of any third party must be presented in Bidder's proposal
4. Proposed schedule of committee meetings (both in-person and virtual)
5. Responsibilities of SRR, and how much time/effort will be needed by SRR in support of this project
6. Specific deliverables and timelines for each step of the project
7. Status reporting frequency and format

8.5 Fees

In the final section of the proposal, distinct from the other parts of the proposal, the Bidder should include proposed fees. A Bidder may wish to list and describe several options for being reimbursed for the services it provides. For example, if the Bidder feels that Section 4 of this RFP is missing a critical step, it may submit a fee proposal with the additional activity, and an additional fee proposal without the additional activity.

All estimated meeting costs, subject matter expert travel expenses, survey and webinar subscription fees associated with the services described in this RFP should be listed separately, and clearly state the assumptions for the estimated costs (# SMEs, Meeting Location, Hotel Costs, Travel costs, etc).

Bidder should also describe to SRR factors that could impact fees during the period of the engagement.

9 Proposal Evaluation and Selection Process

Proposals will be reviewed by staff members of SRR, CSBS, and consultants who may be retained by SRR. A recommendation will be made to the Board of Managers of the State Regulatory Registry LLC which will approve the final selection(s).

Selection will be based on technical quality, qualifications and experience of the vendor and its staff, and cost effectiveness.

The following considerations will be used in reviewing the technical quality of the proposal and the qualifications of the vendor.

- Does the proposal demonstrate the vendor clearly understands the tasks stated in the RFP?
- Are the approaches and procedures sufficiently detailed so that they can be clearly understood?
- Does the proposal demonstrate that the vendor has the ability and capability of designing and managing the procedures to accomplish the tasks being offered?
- Is the approach (or approaches) flexible enough to accommodate unforeseen conditions and problems?

The following considerations will be used in reviewing the cost effectiveness of the proposals.

- The fees associated with delivering the products and services described in the RFP
- The meeting expenses related to conducting SME meetings

10 Offer Period

A Bidder's proposal is an irrevocable offer for ninety (90) days following the proposal's due date. In the event a final contract has not been awarded within this period, the SRR reserves the right to negotiate extensions to this period.

Appendix A – National Outline and Reference List

SAFE Mortgage Loan Originator Test National Component with Uniform State Test Content Outline

(115 scored test questions; 10 unscored test questions)

****PLEASE READ CAREFULLY****

Legislative Updates

Legislative changes may occur throughout the test administration cycle. Candidates should answer test questions based on the statutes, regulations and rules in effect as of **January 18, 2014**.

Candidates are responsible for keeping abreast of changes made to the applicable statutes, regulations and rules regardless of whether they appear on this outline or the test.

I. Federal mortgage-related laws (24-25%)

- A. RESPA
- B. Equal Credit Opportunity Act (Reg. B)
- C. Truth-in-Lending Act (Reg. Z and HOEPA)
- D. Other Federal laws and guidelines
 - 1. Home Mortgage Disclosure Act (HMDA)
 - 2. Fair Credit Reporting Act
 - 3. Privacy protection / Do Not Call
 - 4. FTC Red Flag (Fair and Accurate Credit Transactions Act of 2003)
 - 5. Dodd-Frank
 - 6. Mortgage Assistance Relief Services (MARS)
 - 7. FTC Safeguard Rules
 - 8. Bank Secrecy Act/Anti-Money Laundering (BSA/AML)
 - 9. Gramm-Leach-Bliley Act

II. General mortgage knowledge (19-20%)

- A. Mortgage programs
 - 1. Conventional/conforming
 - 2. Government (FHA, VA, USDA)
 - 3. Conventional/nonconforming (Jumbo, Alt-A, etc.)
 - a. Statement on Subprime Lending
 - b. Guidance on Nontraditional Mortgage Product Risk
- B. Mortgage loan products
 - 1. Fixed
 - 2. Adjustable

3. Balloon
 4. Reverse mortgage
 5. Other (home equity [fixed and line of credit], construction mortgage, interest-only, bridge financing, negative amortization)
- C. Terms used in the operation of the mortgage market
1. Loan terms
 2. Disclosure terms
 3. Financial terms
 4. General terms

III. Mortgage loan origination activities (19-20%)

- A. Application information and requirements
1. Application accuracy and required information (e.g., 1003)
 - a. Customer
 - b. Loan originator
 - c. Verification and documentation
 2. Suitability of products and programs
 3. Disclosures
 - a. Accuracy
 - b. Timing
- B. Qualification: processing and underwriting
1. Borrower analysis
 - a. Assets
 - b. Liabilities
 - c. Income
 - d. Credit report
 - e. Qualifying ratios (e.g. housing, debt-to-income, loan-to-value)
 - f. CFPB Ability to Repay Mortgage Rules
 2. Appraisals
 3. Title report
 4. Insurance: hazard, flood, and mortgage
- C. Specific program guidelines
1. VA, FHA, USDA, HECM
 2. Fannie Mae, Freddie Mac
 3. Other (e.g. Private mortgage insurance, flood)
- D. Closing
1. Title and title insurance
 2. Settlement/Closing agent
 3. Explanation of Fees
 4. Explanation of Documents
 5. Funding
- E. Financial calculations used in mortgage lending
1. Periodic interest
 2. Payments (principal, interest, taxes, and insurance; mortgage insurance, if applicable)

3. Down payment
4. Loan-to-value (loan-to-value, combined loan-to-value, total loan-to-value)
5. Debt-to-income Ratios
6. Temporary and Fixed interest rate buy-down (discount points)
7. Closing costs and prepaid items
8. ARMs (eg., fully indexed rate)

IV. Ethics (14-15%)

- A. RESPA
- B. Gramm-Leach-Bliley Act
- C. Truth-in-Lending Act
- D. Equal Credit Opportunity Act
- E. Appraisal
- F. Fraud detection, reporting, and prevention (e.g. BSA/AML)
- G. Ethical behavior
 1. Consumers
 2. Appraisers
 3. Underwriters
 4. Investors
 5. Real estate professionals
 6. Settlement/Closing agents
 7. Employers
 8. Mortgage Loan Originators
 9. Third party providers
 10. Loan processors

V. Uniform State Content (20-22%)

- A. SAFE Act and CSBS/AARMR Model State Law
 1. Department of Financial Institutions or Mortgage Regulatory Commission
 - a. Regulatory authority
 - b. Responsibilities and limitations
 2. State Law and Regulation Definitions
 3. License Law and Regulation
 - a. Persons required to be licensed
 - b. Licensee qualifications and application process
 - c. Grounds for denying a license
 - d. License maintenance
 - e. NMLS requirements
 4. Compliance
 - a. Prohibited conduct and practices
 - b. Required conduct
 - c. Advertising

National Component with Uniform State Test Reference List

A number of references and resources are used to develop the National Component with Uniform State Test.

NOTE: The following list is intended to be used as a guide to assist test candidates to prepare for the National Component with Uniform State Test. It is not intended to be an all-inclusive list.

- 12 CFR 1002 -- ECOA (REGULATION B)
 - o http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=42e4972f92e85003517c9dc4c0f45d9f&tpl=/ecfrbrowse/Title12/12cfr1002_main_02.tpl
- 12 CFR 1003—HOME MORTGAGE DISCLOSURE (REGULATION C)
 - o http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=5a2687a89ec1d9b103ae7c3c1349c4ce&tpl=/ecfrbrowse/Title12/12cfr1003_main_02.tpl
- 12 CFR 1015 -- MORTGAGE ASSISTANCE RELIEF SERVICES (REG O)
 - o http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=581f38e3f289c452e85a0189fc0e94d6&tpl=/ecfrbrowse/Title12/12cfr1015_main_02.tpl
- 12 CFR 1016 -- Privacy of Consumer Financial Information (REGULATION P)
 - o http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=b26a58aacc204931ff0e1f078187bd52&tpl=/ecfrbrowse/Title12/12cfr1016_main_02.tpl
- 12 CFR 1022 -- FAIR CREDIT REPORTING (REGULATION V)
 - o http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=b26a58aacc204931ff0e1f078187bd52&tpl=/ecfrbrowse/Title12/12cfr1022_main_02.tpl
- 12 CFR 1024 -- RESPA (REG X)
 - o http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=b26a58aacc204931ff0e1f078187bd52&tpl=/ecfrbrowse/Title12/12cfr1024_main_02.tpl
- 12 CFR 1026 -- TILA (REG Z)
 - o http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=b26a58aacc204931ff0e1f078187bd52&tpl=/ecfrbrowse/Title12/12cfr1026_main_02.tpl
- 12 USC 2601 -- RESPA
 - o <http://www.fdic.gov/regulations/laws/rules/6500-2800.html#fdic65001024.1>
- 15 USC 1681 et seq. -- FAIR CREDIT REPORTING ACT
 - o <http://www.ftc.gov/os/statutes/031224fcra.pdf>
- 15 USC 6101 et seq. Do Not Call - Telemarketing and Consumer Fraud and Abuse Prevention Act
 - o <http://www.ftc.gov/ogc/stat3.shtm>
- 15 USC 6151 -- DO NOT CALL
 - o <http://www.gpo.gov/fdsys/pkg/USCODE-2010-title15/pdf/USCODE-2010-title15-chap87A-sec6151.pdf>
- 15 USC 6801-6809 -- GRAMM-LEACH-BLILEY ACT
 - o <http://www.ftc.gov/privacy/glbact/glbsub1.htm>

- 16 CFR 310 -- TELEMARKETING SALES RULE
 - http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=f4ce3f73377f7eefc5905eef59b39d1&tpl=/ecfrbrowse/Title16/16cfr310_main_02.tpl
- 16 CFR 313 -- Privacy of Consumer Financial Information
 - http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=f4ce3f73377f7eefc5905eef59b39d1&tpl=/ecfrbrowse/Title16/16cfr313_main_02.tpl
- 16 CFR 681 - IDENTITY THEFT RULES
 - http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title16/16cfr681_main_02.tpl
- 31 CFR 1029.320 --Rules for Loan or Finance Companies (AML Rules)
 - <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=f4ce3f73377f7eefc5905eef59b39d1&rgn=div8&view=text&node=31:3.1.6.1.13.3.5.4&idno=31>
- 4506-T -- Request for Transcript of Tax Return
 - <http://www.irs.gov/pub/irs-pdf/f4506t.pdf>
- 47 CFR 64.1200 -- SUBPART L RESTRICTIONS ON TELEMARKETING, TELEPHONE SOLICITATION AND FACSIMILIE ADVERTISING
 - <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div6&view=text&node=47:3.0.1.1.11.12&idno=47>
- Consumer Fact Sheet for Home Equity Conversion Mortgages
 - http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_13006.pdf
- Summary of the Dodd-Frank Wall Street Reform Consumer Protection Act
 - http://www.banking.senate.gov/public/files/070110_Dodd_Frank_Wall_Street_Reform_comprehensive_summary_Final.pdf
- The Federal Housing Administration (FHA)
 - http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/fhahistory
- HUD—Glossary
 - http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/sfh/buying/glossary
- FHA Mortgage Limits
 - <https://entp.hud.gov/idapp/html/hicostlook.cfm>
- VA Purchase & Cash Out Refinance Home Loans
 - <http://benefits.va.gov/HOMELOANS/purchasecashout.asp?expandable=0&subexpandable=0>
- FHA Handbook 4155.1
 - http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/hsgh/4155.1
- FHA Requirements: Mortgage Insurance
 - http://www.fha.com/fha_requirements_mortgage_insurance.cfm
- Consumer Finance Protection Bureau (CFPB)
 - <http://www.consumerfinance.gov/regulations/>
 - <http://www.consumerfinance.gov/guidance/>
 - <http://www.consumerfinance.gov/regulatory-implementation/>

- o CFPB: Negative Amortization
<http://www.consumerfinance.gov/askcfpb/103/what-is-negative-amortization.html>

- o CFPB: Balloon Loan
<http://www.consumerfinance.gov/askcfpb/104/what-is-a-balloon-loan.html>

- o CFPB: Construction Loan
<http://www.consumerfinance.gov/askcfpb/108/what-is-a-construction-loan.html>

- o CFPB: Loan to Value Ratio
<http://www.consumerfinance.gov/askcfpb/121/what-is-a-loan-to-value-ratio-and-how-does-it-relate-to-my-costs.html>

- o CFPB: Private Mortgage Insurance
<http://www.consumerfinance.gov/askcfpb/122/what-is-private-mortgage-insurance-how-does-pmi-work.html>

- o CFPB: Interest Rate and APR
<http://www.consumerfinance.gov/askcfpb/135/what-is-the-difference-between-an-interest-rate-and-an-apr.html>

- o CFPB: Discount Points
<http://www.consumerfinance.gov/askcfpb/136/what-are-discount-points-or-points.html>

- o CFPB: Right to Rescind
<http://www.consumerfinance.gov/askcfpb/187/how-long-do-i-have-to-rescind-when-does-the-right-of-rescission-start.html>

- o CFPB: Mortgage Payments
<http://www.consumerfinance.gov/askcfpb/197/is-there-any-reason-my-mortgage-payment-would-change-over-the-life-of-my-loan.html>

- o CFPB: Property or Flood Insurance
<http://www.consumerfinance.gov/askcfpb/201/do-i-ever-have-to-buy-property-or-flood-insurance-from-my-lender.html>

- Consumer Handbook on Adjustable-Rate Mortgages
 - o http://files.consumerfinance.gov/f/201204_CFPB_ARMs-brochure.pdf

- Fannie Mae
 - o <http://www.fanniemae.com/portal/about-us/governance/our-charter.html>
 - o <https://www.fanniemae.com/singlefamily/loan-limits>
 - o <https://www.fanniemae.com/content/guide/sel102213.pdf>

- FFIEC
 - o http://www.ffiec.gov/exam/Mtg_Fraud_wp_Feb2010.pdf

- Freddie Mac
 - o <http://www.freddie.com/sell/guide/>

- FTC: Real Estate Marketplace Glossary
 - o <http://www.ftc.gov/bc/realestate/resources/realestateglossary.pdf>

- HUD: Interim Financing Costs
 - o <http://www.hud.gov/offices/cpd/affordablehousing/training/web/underwriting/develcosts/interimcosts.cfm>

- Title V—S.A.F.E. Mortgage Licensing Act
 - o <http://mortgage.nationwidelicingsystem.org/SAFE/NMLS%20Document%20Library/SAFE-Act.pdf>

- State Model Language for Implementation of Public Law 110-289, Title V—S.A.F.E. Mortgage Licensing Act
 - o <http://mortgage.nationwidelicencingsystem.org/SAFE/NMLS%20Document%20Library/MSL-Final.pdf>

- 12 CFR 1008-- S.A.F.E. MORTGAGE LICENSING ACT—STATE COMPLIANCE AND BUREAU REGISTRATION SYSTEM (REGULATION H)
 - o http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=26a32455b3ada0bc6802a9bf26e871e9&tpl=/ecfrbrowse/Title12/12cfr1008_main_02.tpl

Appendix B – Number of Test Takers and MLOs

Approximate Number of Individuals taking SAFE MLO National Test by Year through March 31, 2014	
Year	Number of Individuals
2009	15,000
2010	122,000
2011	25,000
2012	26,500
2013	25,500
Q1 2014	6,000
Total	220,000

Number of Mortgage Loan Originators (MLOs) in NMLS as of March 31, 2014	
Number of Individual State Licensed MLOs	117,674
Number of State MLO Licenses	297,656
Number of Federally Registered MLOs	392,896

Appendix C – Notice of Intent to Bid

**State Regulatory Registry LLC
Job Analysis Services RFP**

**Notice of Intent to Bid
Job Analysis Services**

All interested parties who intend to bid on the Job Analysis RFP released on June 23, 2014, may use this form to notify SRR of their intent to bid. Interested parties may also notify SRR of their intent to bid using their own format (letter, email, etc) as long as the following information is provided. Potential bidders should submit their notices on or before Friday, July 25, 2012.

Notices sent may be sent electronically to Matt Comber, Sr. Manager, Test Development and Maintenance, mcomber@csbs.org, or via fax to 202-296-1928, or via mail to:

Conference of State Bank Supervisors
Attn: Matt Comber
1129 20th St. NW, 9th Floor
Washington, DC 20036

I understand by submitting this intent to bid that the firm named below is not bound to submit a bid and it may at its option not bid on the services outlined in the RFP.

Company Name _____

Officer Name and Title _____

Signature _____

Date _____

Appendix D – Prospective Bidder Questions and Answers

Bidder Conference Calls – Questions and Answers Posted July 22, 2014

Summary – Interested parties were invited to schedule one-on-one bidder calls with SRR staff. Over the course of three days, July 15-17, SRR conducted calls with six organizations that expressed an interest in learning more about the RFP which had been released on June 24, 2014. This document addresses many of the questions and answers that were generated during the calls. It also includes information that may not have been raised directly during the calls, but SRR believes could be considered material to one or more of the potential bidders.

The items below highlight the areas which required SRR to revise the RFP.

1. The 2015 Job Analysis will not include state components (Section 5) – The scope of the job analysis study is to validate the National Test with Uniform State Content. The unique state components do not need to be included in the bidder’s proposal.

2. Survey to include representative sample (Section 5.2) – The survey administration to state-licensed MLOs only requires a representative sample. SRR will work with the selected vendor to determine an appropriate sampling plan.

3. A gap analysis is not required by selected vendor (Section 5.3) – SRR will not require the selected vendor to perform a full gap analysis. The vendor will need to identify new content areas that may require item writing during the test maintenance process.

4. A final report is required as part of the services performed (Section 5) – SRR will need the selected vendor to produce a final report no later than September 1, 2015, to summarize the job analysis study.

5. Meeting costs to be listed separately in Proposal of Fees (section 8.5) – SRR recognizes the variable cost nature of travel expenses and has amended the RFP to address this. Please see Section 8.5 for guidance in how to present the meeting expenses in the proposal.

6. Proposal evaluation and selection process (Section 9) – SRR initially omitted an explanation of how it will evaluate and select a vendor. See Section 9 for more information.

Please see a list of all questions and answers starting on the next page.

Question#	Section/Page of RFP	Bidder's Question	SRR's Answer
1	Section 1 – Background Information (page 1)	For state-licensed MLOs, what other eligibility requirements do they need to meet aside from background checks and passing the proper examinations?	State-licensed MLOs need to authorize a criminal background check, demonstrate financial responsibility (credit check), complete at least 20 hours of Pre-licensing education, and pass the test(s). There are no requirements for an individual to take the test, as long as they have a unique NMLS id.
2	Section 2 – History of NMLS Testing Program (page 2)	Is a copy of the 2009 job analysis report available?	A copy of the 2009 Job Analysis will be made available to the selected vendor.
3	Section 2 – History of NMLS Testing Program (page 2)	What vendor conducted the initial Job Analysis?	Pearson VUE conducted the 2009 Job Analysis.
4	Section 2 – History of NMLS Testing Program (page 2)	Is there a current list of Job Tasks and KSAs from the 2009 Job Analysis?	No, this is a new requirement. SRR would like the job analysis to include a linking of KSAs and Job Tasks to ensure the content of the test is related to the job of an MLO.
5	Section 2 – History of NMLS Testing Program (page 2)	How many different surveys were developed and administered in the 2009 job analysis, including national and state versions?	One survey was developed and administered which included the national test and a common state test outline. However, this RFP is only related to the National Test with Uniform State Content.
6	Section 4 – Proposed Process for Job Analysis Study (page 4)	Does SRR anticipate the need to have their testing program accredited, or does the job analysis process need to be approved by any other entity?	No, SRR does not have a need for a formal accreditation, nor are there other organizations that would need to be involved in the process or approve the study.
7	Section 5 – Statement of Work (page 5)	Will the scope of this project include the specific State Test Components or the Common State Test Content Outline Template?	No, the focus of this RFP is the validation of the National Test with Uniform State Content.

8	Section 5 – Statement of Work (page 5)	Does the job analysis require a different approach or analysis for the Uniform State Content (UST) section of the test?	No, the Uniform State Content section should be analyzed the same as other sections of the outline.
9	Section 5 – Statement of Work (page 5)	Does SRR intend the first SME meetings to be in-person, others done via webinar?	Yes, the intent is to have at least one in-person meeting, and SRR believes that the second round of SME meetings can be done via webinar.
10	Section 5 – Statement of Work (page 5)	Would SRR consider having an SME or small group of SMEs to be an advisory panel for the process?	SRR can work with selected vendor to identify an appropriate group of SMEs to serve in this capacity.
11	Section 5.1 – Pre-survey research and analysis (page 5)	Is SRR looking to draft the task and KSAs from 'scratch' or building on the current test specifications?	The 2015 Job Analysis can build upon the existing outline. The expectation is that there are not many changes to the content outline, but SRR would like there to be a step to research any changes in the industry prior to the SME focus group meetings.
12	Section 5.1 – Pre-survey research and analysis (page 5)	Will SRR provide subject matter experts to participate in job analysis focus group meetings?	Yes, SRR will recruit the SMEs for the focus group meetings, and conduct the initial contact inviting them to the meetings.
13	Section 5.1 – Pre-survey research and analysis (page 5)	Does SRR wish to use SMEs that are regionally representative? And will the SMEs be both industry professionals and mortgage regulators?	Yes, and SRR has five Districts from which we would like representation from each district. See CSBS District Map .
14	Section 5.1 – Pre-survey research and analysis (page 5)	Will SMEs be identified before January start date?	SRR has an existing roster of SMEs, but SRR's recruitment of SMEs can begin beforehand, and finalized in January 2015.
15	Section 5.1 – Pre-survey research and analysis (page 5)	Does SRR have a particular location they wish to hold the initial SME focus group meetings?	SRR does have meeting space available at their headquarters in Washington, DC, however SRR would consider other locations.

16	Section 5.1 – Pre-survey research and analysis (page 5)	Would SRR be amenable to conduct the SME focus group meetings in conjunction with NMLS Conference in February 2015 in San Diego?	SRR can consider that as a possible solution.
17	Section 5.1 – Pre-survey research and analysis (page 5)	Is there a precedent as to what level of hotel would be used for meetings or SME accommodations?	There is no current precedent, but a mid-level hotel would be acceptable (Marriott, Hilton, Westin, etc.)
18	Section 5.1 – Pre-survey research and analysis (page 5)	Does SRR wish to use a formal linking process and documented within the SME process? Or an informal one where the SMEs review the knowledge statements to ensure that at least one task statement is linked and vice versa?	An “informal process” as described would be acceptable.
19	Section 5.1 – Pre-survey research and analysis (page 5)	Would the results of the initial SME focus group meeting need to go out for public comment, prior to administering the survey?	No, there will be no need to post the results for public comment.
20	Section 5.2 – Survey Administration (page 5)	Is a summary of MLO demographic characteristics available to help guide the survey plan?	There is some MLO demographic and other information that prospective bidders may find useful in the 2013 NMLS Mortgage Industry Report . In addition, SRR will have access to other demographic information that can assist in the survey plan (i.e. time of licensure, states in which MLOs are licensed, etc).
21	Section 5.2 – Survey Administration (page 5)	Will SRR provide an electronic email list of MLO practitioners for the job analysis survey?	Yes, the email list for all state-licensed MLOs will be provided to the selected vendor at the time of survey administration.
22	Section 5.2 – Survey Administration (page 5)	Would the Tasks and KSAs be included on one survey?	Yes, it is the intent that both the Tasks and KSAs be rated in a single survey administration.

23	Section 5.2 – Survey Administration (page 5)	Would SRR be amenable to a pilot survey prior to launching the full survey?	SRR can consider that as a possible solution.
24	Section 5.2 – Survey Administration (page 5)	Is it a requirement that the survey be sent to all state-licensed MLOs, or can the vendor develop a sampling strategy to gather a representative sample?	SRR will work with vendor to determine an appropriate sampling plan.
25	Section 5.2 – Survey Administration (page 5)	Does SRR know what the response rate of the survey was in 2009?	In 2009, an initial email blast was sent out to 70,000 MLOs, and many other methods were used to reach out to seek more responses. About 10,000 responded and 8,000 completed the survey. Because of the variety of methods used in 2009 to provide the survey link for participation, it is difficult to estimate the exact response rate for the study.
26	Section 5.2 – Survey Administration (page 5)	Are there are specific requirements in how many survey responses will need to be completed within each state?	No, there are no specific requirements, but SRR would like to collect responses from all states/jurisdictions, without a disproportionate amount of responses from any particular states.
27	Section 5.2 – Survey Administration (page 5)	Would responses be needed from all 50 states in the U.S., and does the survey need to be in any other language than English?	SRR wishes to receive responses from all 53 U.S. states/jurisdictions that currently use NMLS. These include all 50 states, D.C., Puerto Rico, US Virgin Islands, and Guam. The survey will only be administered in English.
28	Section 5.2 – Survey Administration (page 5)	Do the MLOs have email addresses in Canada, and is SRR aware of the new laws in Canada regarding emails identified as Spam?	It is possible that there are LOs that resides in Canada. SRR will look into this to try to mitigate this risk and be aware of this in sending emails.
29	Section 5.2 – Survey Administration (page 5)	Would SRR consider sending out the initial survey invitations?	SRR will work with selected vendor to determine the best method to solicit survey responses.

30	Section 5.3 – Test Specification Evaluation (page 5)	Is the SRR satisfied with the current examination structure and level of detail in specifying content domains, levels of knowledge, and so forth?	SRR has heard some feedback from educators wanting more detail, but SRR feels that the current level of detail is adequate.
31	Section 5.3 – Test Specification Evaluation (page 5)	Does SRR intend the selected vendor to conduct a full gap analysis upon revising the test specifications? Will the vendor be given access to the item bank?	SRR will not require the selected vendor to perform a full gap analysis. The vendor will need to identify new content areas that may require item writing during the test maintenance process.
32	Section 5.3 – Test Specification Evaluation (page 5)	Do you wish to define the test blueprint / specifications at a more granular level (i.e. the subcategory level)?	No, there is no intention to define the test blueprint further than what is currently posted online.
33	Section 5.3 – Test Specification Evaluation (page 5)	Do the current test specifications specify any cognitive level constraints (for example, specific proportions of items by cognitive level per domain)?	No, there are no additional test specifications other than those listed on the content outline posted online.
34	Section 5 – Statement of Work (page 6)	Can you confirm that the services are to be completed by July 1, 2015?	Yes, it is SRR’s expectation for the job analysis study to be completed by July 1, 2015. The final report is to be completed by September 1, 2015.
35	Section 5 – Statement of Work (page 6)	Would the scope of the job analysis study include producing a final report?	Yes, the job analysis should conclude with a final report to include a summary and results from each part of the process.
36	Section 8.5 – Fees (page 7)	Would SRR consider paying for the SME and meeting expense, or is it required that it is included in bid?	SRR recognizes the variable cost nature of travel expenses and has amended the RFP to address this. Please see Section 8.5 for guidance in how to present the meeting expenses in the proposal.
37	Section 9 – Proposal Evaluation and Selection Process (page 8)	What will be the evaluation criteria utilized to select the winning vendor?	SRR has amended the RFP to include the proposal evaluation and selection process. See Section 9.