Project Overview for the ICANN-Designated Agent for Registrar Data Escrow Services RFP

Request for Proposal

20 March 2023

ICANN

1 Introduction

1.1 About this Document

This document provides an overview of the Request for Proposal (RFP) for the ICANN-Designated Agent for Registrar Data Escrow Services. It provides background and pertinent information regarding the requirements for the respondents. The RFP also includes additional documents that are hosted in the ICANN sourcing tool.

1.2 Instructions for Participation

To participate, follow the below required steps:
1. **Email** your indication of interest **by 03 April 2023** to Rr-Data-Escrow-Services-rfp@icann.org, along with your RFP contact information. This is the point of contact who will be granted access to ICANN's sourcing tool for proposal submission.
   a. Full Legal Name of entity
   b. Name of contact
   c. Email address of contact
2. Upon receipt of your indication of interest, ICANN organization (org) will grant you access to its sourcing tool and email a Non-Disclosure Agreement (NDA) to the RFP contact. **Return** the signed NDA to Rr-Data-Escrow-Services-rfp@icann.org. Upon receipt of the signed NDA, ICANN org will email the draft Master Registrar Data Escrow Service Agreement and draft Registrar Data Escrow Agreement to the RFP contact. **We encourage you to submit the signed NDA as soon as possible.**
3. **Submit** the completed questionnaire along with supporting documentation. Proposals should be electronically submitted latest **by 23:59 UTC on 23 April 2023** using ICANN's sourcing tool.

1.3 About the Internet Corporation for Assigned Names and Numbers (ICANN)

ICANN's mission is to ensure the stable and secure operation of the Internet's unique identifier systems. To reach another person on the Internet, you have to type an address into your computer - a name or a number. That address has to be unique so computers know where to find each other. ICANN helps coordinate and support these unique identifiers across the world.

See www.icann.org for more information.

2 Scope

2.1 Summary of Request

ICANN org is soliciting proposals to identify one or more ICANN-designated Registrar Data Escrow (RDE) agent(s) qualified to provide RDE services to collectively support ICANN's global population of accredited registrars, with a primary focus on the populations from North America and Europe. Upon review of all submitted proposals, ICANN org will determine whether one or more designated RDE agents will be selected.

2.2 Project Objective

The RDE program is an integral component of ICANN's commitment to ensuring the security and stability of the Internet and allows for an increased level of business continuity and registrant protection.

The objective of this RFP is to identify one or more ICANN-designated RDE agent(s) qualified to provide RDE services to collectively support ICANN's global population of accredited registrars, with a primary focus on the populations from North America and Europe. For a geographic breakdown of ICANN-accredited Registrars click here.

ICANN seeks to engage experienced and competent agent(s) to receive, process, verify, and store, in a readily retrievable format, submitted registration data. An ICANN-designated RDE agent is expected to provide cost-effective data storage, data verification, data auditing services, flexible reporting capabilities, and customer support both to ICANN and its accredited registrars.

This is an open RFP, which means that existing ICANN-designated RDE agents and ICANN-approved registry and registrar data escrow agents may submit proposals, as may new prospective data escrow agents.

Please note, responding to the RFP does not guarantee selection as an ICANN-designated agent.

2.3 Background

In 2007, ICANN began implementing a RDE program that requires all ICANN-accredited registrars to regularly deposit a back-up copy of generic top-level domain (gTLD) registration data via either an ICANN-designated RDE agent (at no charge to the registrar) or an ICANN-approved RDE agent (at the registrar's expense). The RDE program provides important layers of protection for registrants. For example, the registration data held in escrow may be released to a gaining registrar upon termination or expiration without renewal of a 2013 Registrar Accreditation Agreement (RAA). Ensuring the successful transfer of domain name sponsorship aligns with ICANN's objective to support a healthy, stable, and resilient unique identifier

ecosystem and is consistent with its Mission and Bylaws (Section 1.1) that states, "ICANN coordinates the allocation and assignment of names in the root zone of the Domain Name System (DNS) and coordinates the development and implementation of policies concerning the registration of second-level domain names in generic top-level domains (gTLDs)."

Pursuant to Section 3.6 of the 2013 RAA and the Registrar Data Escrow (RDE) Specifications, all ICANN-accredited registrars have agreed to submit registration data on a schedule, under the terms, and in the format specified by ICANN.

2.4 Scope of Work

The RDE services requested in this RFP align with the existing RDE program and RDE Specifications.

An overview of the services requested of an ICANN-designated RDE agent can be categorized in the following areas, as explained below.

◉ Managing Agreements

◉ Processing of RDE Deposits

◉ Verification of RDE Deposits

◉ Customer Support

◉ Reporting Capabilities

◉ Audit of Escrow Deposits

The specifications of the RDE program and the foundation for this work can be found at https://www.icann.org/rde/rde-specs-09nov07.pdf. ICANN reserves its right to modify and/or make additions to the RDE Specifications document at any time.

2.4.1 Managing Agreements

◉ Registrars that elect to deposit escrow data with an ICANN-designated RDE agent must enter into a standardized agreement with ICANN and the RDE agent, which sets forth the obligations and liabilities of all parties to the agreement.

◉ RDE agent(s) must be able to initiate amendments to agreements with ICANN and registrar upon notification by either ICANN or registrar.

◉ RDE agent(s) will comply with Registration Data Policy requirements under the timeline to be announced by ICANN org. At the time of this RFP, the Registration Data Policy is a draft Consensus Policy. A final version is expected to be announced along with an effective date and implementation timing in the upcoming months.

2.4.2 Processing of RDE Deposits

◉ Agent(s) to receive electronic registration data maintained by the registrar based on a deposit schedule, terms, and format specified by ICANN.

◉ Agent(s) will utilize encryption technology to decrypt and re-encrypt deposits as well as have the ability to compress and decompress deposited files.

◉ Agent(s) must store deposits for one year, as specified in the RDE Agreement and the RDE Specifications or as specified by ICANN.

◉ Agent(s) must monitor deposits (or lack thereof) as well as review data deposited to verify its completeness, consistency, and formatting.

◉ Release deposited data to ICANN (or its designee) within 24 hours of written notice by ICANN org under conditions specified in the RDE Agreement or upon mutual agreement of ICANN and the registrar.

◉ ICANN shall have the right, either directly or through use of an independent auditor or other agent, to inspect escrow agent's systems, documentation, and records that provide substantiation of the performance of RDE services.

2.4.3 Verification of RDE Deposits

◉ Agent(s) must verify the integrity of the data deposited by performing checksum validation.

◉ Agent(s) must verify within 24 hours of receiving a deposit, that the deposit contents and format conform with the requirements defined in the 2013 RAA and RDE Specifications.

◉ Agent(s) must notify ICANN via the Registration Reporting Interfaces (RRI) system of all received deposits with their corresponding verification result, as determined by ICANN.

◉ Agent(s) must notify ICANN via the RRI system in the event deposits are not made according to the designated schedule.

◉ Agent(s) must notify registrars of any deposit not received according to the designated schedule or that failed the verification process, providing sufficient details to remedy the issues identified.

◉ Agent(s) must be able to perform manual review of deposits as needed to assist registrars in identifying and remedying issues found during the verification of received deposits.

2.4.4 Customer Support

- ◉ Provide customer support via email (ticketing system) and telephone support during the agent's business hours and provide emergency support outside of the agent's business hours.

- ◉ Provide a system or tool (e.g., ticketing system, CRM), available 24 hours a day, 7 days a week for the registrars to at a minimum securely manage inquiries for support and ideally notifications of issues for remediation (such as missed, invalid, incomplete deposits).

- ◉ Ability to provide verbal and written customer support in English. Ability to provide verbal and written customer support in additional languages (such as UN languages) is beneficial.

- ◉ Manage the onboarding and offboarding of registrars, ensuring valid and timely deposits.

- ◉ Directly notify registrars of deposit failures based on submission, decryption, compression, checksum validation, and other deposit failures as defined by ICANN.

- ◉ Ability to manage registrar contact information to verify or authenticate communications with registrars. Communications must be responded to and addressed in a timely manner.

- ◉ Ability to directly resolve issues with registrars via internal notification system, including but not limited to three (3) email notifications and two (2) attempted phone calls regarding any unresolved issues, prior to escalation to ICANN.

2.4.5 Reporting Capabilities

- ◉ Ability to adjust notifications via RRI based on changes in deposit obligations, deposit schedules, accreditation status, and RDE agent changes, etc.

- ◉ Provide ICANN with itemized billing, reflective of current registrar information, including updates to account for name changes, terminations, and RDE agent changes.

2.4.6 Audit of Escrow Deposits

- ◉ At the time of onboarding a new registrar and additionally as needed at the request of ICANN org, extract a sample of domain names from the registrar's most recent deposit and compare the escrowed registration information with the publicly available Registration Data Directory Services (RDDS) information obtained via registrar web-based (Port 80) WHOIS lookup, client based (Port 43) WHOIS lookup, or via Registration Data Access Protocol (RDAP) lookup.

- ◉ Verify that, in cases where the registrant's registration information appears to be masked using a privacy/proxy service, the registrant's underlying actual contact information is being escrowed.

- ◉ If issues are found with the audit, communicate with the registrar to explain any discrepancy and provide guidance to the registrar for resolving such discrepancies.

- At the request of ICANN org, perform a data escrow audit to review a number of records from the deposited data file(s). Records may be randomly selected or supplied by ICANN org. This review must include, at a minimum:
  - ☐ Decryption of deposited data file(s).
  - ☐ Inspection of the files deposited: documentation of the file size(s), deposit date/time(s), file name(s), number of rows in the file(s), the contents of the header row(s).
  - ☐ Documenting any observable irregularities.
  - ☐ An inspection of the contents of the deposited file to identify whether the ICANN org-supplied domain names (if applicable) are present.

Helpful Links

Information for Domain Name Registrants
https://www.icann.org/registrants

2013 Registrar Accreditation Agreement (RAA):
https://www.icann.org/resources/pages/approved-with-specs-2013-09-17-en

Registrar Data Escrow Program:
https://www.icann.org/resources/pages/registrar-data-escrow-2015-12-01-en

Registrar Data Escrow Specifications:
https://www.icann.org/rde/rde-specs-09nov07.pdf

Registration Reporting Interfaces (RRI):
https://www.icann.org/rri

RRI Specification (ICANN Registrar Interfaces):
https://datatracker.ietf.org/doc/html/draft-icann-registrar-interfaces

Registrar Data Escrow Reporting FAQ:
https://www.icann.org/resources/pages/registrar-data-escrow-reporting-faq-2019-02-12-en

3 High-Level Selection Criteria

The decision to select a provider as an outcome of this RFP will be based on, but not limited to, the following selection criteria:

1. Capability and experience as a data escrow services provider
2. Data protection and cybersecurity
3. Customer support capabilities for registrars
4. Data verification and audit capabilities
5. Financial value and pricing
6. Financial health
7. Value-added services

8. Reference checks
9. Required documents and disclosures

4 High-Level Business Requirements

The provider must be able to adhere to the complete list of business requirements as listed in Jaggaer. A summary of the key business requirements is listed below:

1. Submission of a signed Non-Disclosure Agreement (NDA). A signed NDA is required before ICANN org will provide the draft Master Registrar Data Escrow Service Agreement and draft Registrar Data Escrow Agreement for review. All subsequent discussions on this RFP will need to occur after an NDA is signed. **We encourage you to submit the signed NDA as soon as possible**. Please see section 1.2 "Instructions for Participation" for instructions on how to receive the NDA for signing.
2. Submission of complete responses to the questionnaire along with supporting documentation by the designated due date via ICANN org's procurement tool (access will be provided by ICANN org upon receipt of your indication of interest).
3. Within the last ten (10) years, at least five (5) years experience in providing commercial escrow services (as an escrow agent). Within the past three (3) years, the vendor must have at least two (2) years of experience in providing commercial, technology/data escrow services as an escrow agent.
4. The provider must have access to at least two secure, environmentally sound, geographically diverse facilities for the receipt, processing, verification, and storage of RDE deposits.
5. Ability to meet the requirements of the RDE Specifications, the Master Registrar Data Escrow Service Agreement and the Registrar Data Escrow Agreement.
6. Receive, process, verify and store RDE deposits from ICANN-accredited registrars according to the most current RDE Specification within 90 days of execution of the Master Registrar Data Escrow Service Agreement.
7. Ability to integrate with ICANN's RRI system within 90 days of execution of the Master Registrar Data Escrow Service Agreement in accordance with the RDE Specifications and RRI Specification.
8. Availability to perform audit function of escrow deposits as defined by ICANN.
9. Ability to enter into and comply with Data Processing Agreements attached to Master Registrar Data Escrow Service Agreement (DPA between RDE Agent and ICANN) and the RDE Agreement (DPA between RDE Agent and registrar, if applicable). If the provider is transferring personal data across national borders, they must ensure that appropriate safeguards are in place, such as Standard Contractual Clauses (SCCs) or other appropriate transfer mechanisms. The provider must agree to comply with such safeguards, including any SCCs entered into between the data controller and the provider, including the obligations set out in the SCCs and any additional instructions from the data controller regarding the processing of personal data.
10. Production of a "How to" resource for onboarding new registrars.
11. Ability to provide a system or tool (e.g., CRM), available 24 hours a day, 7 days a week for the registrars to securely manage their inquiries for support and notifications of issues for remediation. Provider(s) should be able to produce reporting/metrics for ICANN org in order to demonstrate high quality customer service and customer

satisfaction. Provider(s) should also use the data to identify opportunities for continuous improvement.

5 Project Timeline

The following dates have been established as milestones for this RFP. ICANN reserves the right to modify or change this timeline at any time as necessary.

Activity	Estimated Dates
RFP published	20 Mar 2023
Participants to indicate interest in submitting RFP proposal	03 Apr 2023 by 23:59 UTC
Participants submit any questions to ICANN via Q&A Board within RFP portal	05 Apr 2023 by 23:59 UTC
ICANN responds to participant questions	12 Apr 2023
Participant proposals due date	23 Apr 2023 by 23:59 UTC
Evaluation of responses	25 Apr 2023 to 23 Jun 2023
Final evaluations, contracting, and award	23 Jun 2023 to 31 Jul 2023

6 Terms and Conditions

General Terms and Conditions

1. Submission of a proposal shall constitute each respondent's acknowledgment and acceptance of all the specifications, requirements and terms and conditions in this RFP.

2. All costs of preparing and submitting its proposal, responding to or providing any other assistance to ICANN in connection with this RFP will be borne by the respondent.

3. All submitted proposals including any supporting materials or documentation will become the property of ICANN. If the respondent's proposal contains any proprietary information that should not be disclosed or used by ICANN other than for the purposes of evaluating the proposal, that information should be marked with appropriate confidentiality markings.

Discrepancies, Omissions, and Additional Information

1. Respondent is responsible for examining this RFP and all addenda. Failure to do so will be at the sole risk of the respondent. Should respondent find discrepancies, omissions, unclear or ambiguous intent or meaning, or should any question arise concerning this RFP, respondent must notify ICANN of such findings immediately in writing via email no later than ten (10) days prior to the deadline for bid submissions. Should such matters remain unresolved by ICANN, in writing, prior to respondent's preparation of its proposal, such matters must be addressed in respondent's proposal.

2. ICANN is not responsible for oral statements made by its employees, agents, or representatives concerning this RFP. If respondent requires additional information, respondent must request that the issuer of this RFP furnish such information in writing.

3. A respondent's proposal is presumed to represent its best efforts to respond to the RFP. Any significant inconsistency, if unexplained, raises a fundamental issue of the respondent's understanding of the nature and scope of the work required and of its ability to perform the contract as proposed and may be cause for rejection of the proposal. The burden of proof as to cost credibility rests with the respondent.

4. If necessary, supplemental information to this RFP will be provided to all prospective respondents receiving this RFP. All supplemental information issued by ICANN will form part of this RFP. ICANN is not responsible for any failure by prospective respondents to receive supplemental information.

Assessment and Award

1. ICANN reserves the right, without penalty and at its discretion, to accept or reject any proposal, withdraw this RFP, make no award, to waive or permit the correction of any informality or irregularity and to disregard any non-conforming or conditional proposal.

2. ICANN org may request a respondent to provide further information or documentation to support respondent's proposal and its ability to provide the products and/or services contemplated by this RFP.

3. ICANN is not obliged to accept the lowest priced proposal. Price is only one of the determining factors for the successful award.

4. ICANN org will assess proposals based on compliant responses to the requirements set out in this RFP, responses to questions related to those requirements, any further issued clarifications (if any) and consideration of any other issues or evidence relevant to the respondent's ability to successfully provide and implement the products and/or services contemplated by this RFP and in the best interests of ICANN.

5. ICANN reserves the right to enter into contractual negotiations and if necessary, modify any terms and conditions of a final contract with the respondent whose proposal offers the best value to ICANN.