



MARTIN O'MALLEY
Governor

ANTHONY BROWN
Lieutenant Governor

T. ELOISE FOSTER
Secretary

ADDENDUM No. 1 – June 1, 2007
Request for Proposal (RFP)
Assistive Telecommunications Equipment and Associated Peripherals

PROJECT NUMBER: 050B7800030

Ladies/Gentlemen:

This Addendum No. 1 is being issued to amend and clarify certain information contained in the above referenced RFP. All information contained herein is binding on all Offerors who respond to this RFP. Offerors must acknowledge this and any/all other Addendums to the RFP in their proposals as noted in the RFP's Section 3.4.1-Transmittal Letter. Specific parts of the RFP have been amended. The following changes/additions are listed below; new language has been double underlined and marked in bold (i.e., **word**) and language deleted has been marked with a strikeout (i.e., ~~word~~).

1. **REVISE** the email address in Section 1.7.1 as follows:

Meredith Wehrle
Maryland Department of Budget and Management
Office of Information Technology/Telecommunications Access of Maryland (TAM)
301 W. Preston Street, 10th Floor, Suite 1008A
Baltimore, MD 21201
Telephone: 410-767-6960
Fax No.: 410-767-4276
Email: ~~mwherle@dbm.state.md.us~~ mwehrle@dbm.state.md.us

2. **Add Section 2.2.3-Brand Name or Generic Product** as follows:

2.2.3-Brand Name or Generic Product

In completing each order, and for each of the ten Functional Areas (the 11th Functional Area is for Extended Warranty(ies)), the Master Contractor shall propose and provide Brand name or generic equipment/peripherals, per the direction received through each POIFB or PORFP. Although 'Brand name' is referred to in the following sections of this RFP, where 'generic' product is requested, or where size, color, brand, or other features are not specified and/or do not matter to the fulfillment of the quality of the product, nor increase the price of the product above the published/listed MSRP price, it is acceptable that generic product be proposed.

~Effective Resource Management~

45 Calvert Street • Annapolis, MD 21401-1907

Tel: (410) 260-7681 • Fax: (410) 974-3274 • Toll Free: 1 (800) 705-3493 • TTY Users: call via Maryland Relay

<http://www.dbm.maryland.gov>

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- 2.2.3.1 Authorization to Provide Product: As noted in Section 2.2.2 above, the Master Contractors shall be authorized by the Manufacturer or Distributor to provide any applicable product under a Functional Area whether it is either ‘Brand’ or ‘generic’ product. Letters of Authorization must have already been filed with, and approved through, the DBM CM before utilizing such product line in any bid for POIFB, or proposal for PORFP.**
- 2.2.3.2 Unit Pricing When a MSRP is Available: The Master Contractor’s commitment to utilizing a unit price no higher than the applicable MSRP rate at the time of the Master Contractor’s proposal’s submittal date is the same for Brand name or generic product.**
- 2.2.3.3 Unit Pricing When a MSRP is Not Available: For items not having an MSRP, as in the case when a manufacturer is the only distributor of their own product, then the manufacturer’s proposed price on its letterhead is sufficient but must not be higher than their published or listed ‘MSRP-type’ pricing at the time of the bid or proposal submittal.**

3. **REVISE Section 2.18.2.C).3. as follows:**

- C) 3. Master Contractors shall provide for each product **or each box in a multiple box shipment, a Pre-Paid Return Authorization shipping label a ‘flyer’ with the product that states their current POC’s contact information** to be used by MAT customers who may require repair of defective equipment that is covered under warranty (see section 2.19.1). **If customers have an issue/concern or need to return their product, they will contact the POC directly to request a return authorization label and shipping instructions. (See also Section 2.19.1)**

4. **REVISE Section 2.18.3-Delivery Charge Procedures and Requirements as follows:**

2.18.3 Delivery Charge Procedures and Requirements

- A) Master Contractors shall provide prepaid delivery, FOB (the delivery destination specified in the PORFP or POIFB) to any State eligible customer located within the State’s boundaries. Unless specified otherwise in a PORFP or POIFB, all ~~hardware~~ **products covered by this RFP** is to be delivered, prepaid, to the location specified in a PORFP or POIFB within five (-5-) business days ~~from the date of the PO~~ **of the notice to the Master Contractor as indicated by the State’s electronic time stamp of email, FAX machine, or other electronic communication device utilized. If the MSRP pricing is utilized, it** will be construed to include delivery within ~~the~~ **the** five (-5-) business days ~~from the date of the PO~~. Similarly, provided a PORFP or POIFB allows at least five (-5-) business days delivery time, any price proposed in response to a PORFP or POIFB that is lower than MSRP will be construed to include delivery within ~~the~~ **the** five (-5-) business days ~~from the date of the PO~~.

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5. **REVISE Section 2.19.1** as follows:

2.19.1 If a MAT Customer currently possesses, or will come to possess defective or broken equipment which is covered under warranty (Manufacturer or Extended), the Master Contractor will issue a Return Authorization Number and shipping instructions to the customer. MAT Customers may request Return Authorization by contacting the Master Contractor's POC directly. Defective equipment still under warranty will be shipped to and from the Master Contractor's facility at no charge to the Customer or to TAM, by way of a pre-paid Return Authorization shipping label. Per TAM/MAT shipping instructions ~~this label will be sent to customers with initial equipment orders.~~ upon their request (See Section ~~2.20~~ 2.18.2.C.3.). The Master Contractor, if directed to do so by the entity who released the P.O., ~~may~~ shall be responsible for arranging shipment of the equipment needing repair or replacement. (See also Section 2.18.2.C.3.)

6. **ADD a New Section 33-Sole Proprietor and its subsections 33.1 and 33.2 to ATTACHMENT A-EXAMPLE of the STATE'S CONTRACT FOR THE ASSISTIVE TELECOMMUNICATIONS EQUIPMENT RFP** as follows:

33. Sole Proprietor

33.1 This Contract shall be construed, interpreted, and enforced according to the laws of the State of Maryland.

33.2 Primary jurisdiction for disputes arising out of or relating to this Contract shall lie with the Maryland State Board of Contract Appeals in accordance with §15-211 of the State Finance and Procurement Article of the Maryland Annotated Code, and Contractor hereby consents and submits to the personal jurisdiction and venue of the Maryland State Board of Contract Appeals and any applicable Maryland State courts for resolving such disputes in accordance with Division II, General Procurement Law, Maryland Annotated Code §§11-201 et seq. Contractor further agrees that personal jurisdiction over Contractor may be effected by service of process by registered or certified mail addressed as provided in 'Section 29.2-Notices' of this Contract.

7. **REPLACE ATTACHMENT D – MSRP COMMITMENT AFFIDAVIT IN ITS ENTIRELY with the following new attachment (the next three pages).** The areas that have actually changed from the previous ATTACHMENT D are **bolded** and **double underlined**:

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ATTACHMENT D – MSRP COMMITMENT AFFIDAVIT

I. INSTRUCTIONS:

1. In Section II-MSRP COMMITMENT AFFIDAVIT SUMMARY that follows, F for each Functional Area I through XI, where the Offeror provides a valid Letter of Authorization for that product line they propose, place a check mark.
2. In Section III-MSRP COMMITMENT AFFIDAVIT FOR FUNCTIONAL AREA-
[REDACTED], write in the number for the applicable Functional Area. Then under the sub-heading ‘Manufacturer(s);’ state each of the manufacturer(s) of the equipment’s and/or peripherals product line (Use additional backup sheets as necessary.).
- ~~3.~~ 2. Complete the form by filling in the ‘Submitted By:’ information. The form shall only be signed by a company representative that has the valid ability to commit the company and its resources. As noted in No. 6 below, one Section III-MSRP COMMITMENT AFFIDAVIT form must be completed for each of the Functional Areas being proposed.
- ~~4.~~ 3.—By signing the Attachment D-MSRP Commitment form Affidavit, the Offeror makes the commitment that as a Master Contractor they will provide unit pricing in response to the secondary level of competition for a POIFB or PORFP no higher than the MSRP that is published as of the date of their submitted proposal that is in response to each POIFB or PORFP. The MSRP is being used as a ceiling for each unit’s price only.
5. For items not having an MSRP, as in the case when a manufacturer is the only distributor of their own product, then the manufacturer’s proposed price acknowledgement of the applicable product line on its letterhead will be sufficient, but must be attached.
6. For EACH Functional Area being proposed, provide a SEPARATE COMPLETED and SIGNED MSRP Affidavit. If more room is needed for the list of manufacturers for the product lines being proposed, attach additional sheets to the back of the applicable MSRP Affidavit sheet.
7. To aid the State in recognizing the Offeror’s complete MSRP Affidavit submission, COLLATE the MSRP Affidavit Sheets consecutively by Functional Area and then NUMBER all MSRP sheets by hand as Page ‘x’ of ‘x.’ For Example, if there were a total number of fifteen (-15-) MSRP Affidavit pages and their attachment pages, you would collate them consecutively by Functional Area and then number them 1 of 15, 2 of 15, 3 of 15, 4 of 15, etc. This numbering will be separate and in addition to the numbering of pages noted in Section 3.3-Submission (last paragraph).
8. Functional Area XI-Extended Warranty(ies): In order to provide extended warranties for any of the product lines in any of the Functional Areas, the Offeror will ensure that Functional Area XI-Extended Warranty(ies) is checked and a MSRP Affidavit Sheet is completed. A completed MSRP Affidavit for Functional Area XI-Extended Warranty(ies) means that the Offeror can provide additional warranties as available for each of the manufacturer’s product lines that the Offeror shall list in the area designed ‘Manufacturer(s);’

MSRP COMMITMENT AFFIDAVIT

II. MSRP COMMITMENT AFFIDAVIT SUMMARY: I, as an Offeror to this Assistive Telecommunications Equipment RFP currently have Letters of Authorization to propose and subsequently provide 'BRAND' or 'GENERIC' equipment/peripherals, and warranties as applicable in product lines available in the following checked Functional Areas. Place a Check Mark by each one that is applicable, and then complete a MSRP Affidavit sheet for each Functional Area per the instructions above:

1. ___ Functional Area I – Amplified Telephones and Associated Peripherals
2. ___ Functional Area II – Alerting Devices/ Emergency Devices and Associated Peripherals
3. ___ Functional Area III – Captioned Telephones and Associated Peripherals
4. ___ Functional Areas IV – TTY, VCO Phones, HCO Phones and Associated Peripherals
5. ___ Functional Area V – Specialized Accessories / Switches and Associated Peripherals
6. ___ Functional Area VI – Hands-free Telephones / Devices and Associated Peripherals
7. ___ Functional Area VII – Devices for Speech Impaired and Associated Peripherals
8. ___ Functional Area VIII – Devices for Visually Impaired and Associated Peripherals
9. ___ Functional Area IX – Devices for Cognitively Impaired and Associated Peripherals
10. ___ Functional Area X – Wireless Devices / Videophones and Associated Peripherals
11. ___ Functional Area XI – Extended Warranty(ies)

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III. MSRP COMMITMENT AFFIDAVIT FOR
FUNCTIONAL AREA-

I ACKNOWLEDGE BY SIGNING THIS AFFIDAVIT, I COMMIT TO THE REQUIREMENT OF PROVIDING PRICING NO HIGHER THAN THE MSRP FOR THE PRODUCT'S UNIT PRICING THAT IS CURRENT AS OF THE DATE OF THE APPLICABLE POIFB OR PORFP PROPOSAL'S SUBMISSION DURING THE SECONDARY LINE OF COMPETITION.

Offerors shall state below the manufacturer(s) of the equipment/peripherals/warranty(ies) proposed (attach additional sheets, if necessary) for each functional area checked **in Section II- MSRP COMMITMENT AFFIDAVIT SUMMARY, and also noted at the top of this form:**

Manufacturer(s):

SUBMITTED BY:

AUTHORIZED SIGNATURE DATE

PRINTED NAME AND TITLE

COMPANY NAME

COMPANY ADDRESS

FEIN NUMBER

TELEPHONE NUMBER

RFP Page No. _____ MSRP Affidavit Page _____ of _____

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If you have any questions regarding this Addendum, please direct them to me, Jacqué' Boock, at telephone number 410.260.7681 or email jboock@dbm.state.md.us.

Issued: June 1, 2007

Sincerely,

//s//

Jacqué' Boock

DBM Procurement Officer