

**Q&A's #5 to
Request for Proposals (RFP)
Statewide Personnel System SaaS Human Capital Management Solution RFP
#060B3490012
July 10, 2013**

Ladies/Gentlemen:

This list of questions and responses is being issued to clarify certain information contained in the above referenced RFP. The statements and interpretations contained in the following responses to a question by potential Offerors are not binding on the State, unless an addendum expressly amends the RFP.

20. General Question: Can the recommended implementation process and other non-subscription information requested in the RFP be provided by a third party systems integration partner?

Answer: Yes, please see Amendment #3, Item #1.

24. Given that there will be a new follow-on RFP for implementation services, will the Awardee of this RFP be allowed to be an Offeror for the new RFP or be precluded from doing so due to a potential ethics violation?

Answer: Yes, the Awardee of this RFP may be allowed to be an Offeror for the new RFP. Also, please see Amendment #3, Item #1.

37. We would like to request a 3-4 week bid extension (to July 31st or August 7th) in order to give us (and other participating vendors) ample time for a thorough and complete RFP response.

Answer: See Amendment #2.

38. Attachment A, Contract Terms and Conditions: At the bidder's conference, the State stated that upon award, the selected vendor will have one week to sign the contract. We have been unsuccessful finding corroborating language in the RFP. Can the State please clarify this requirement and provide reference to its location in the RFP or associated documents?

Answer: Please see Section 1.21. If the Offeror has accepted the terms of the RFP and Contract, one week is more than sufficient for the recommended awardee to sign the contract.

39. Attachment A, Contract Terms and Conditions: The RFP raises the expectation that all contract exceptions will be addressed prior to proposal submission. However, many exceptions that a vendor's legal team will take to the RFP, especially those having to do with its Service Level Agreement, would be considered proprietary and confidential information. Can the State provide assurances via official addenda that questions asked with confidentiality requested will be answered in confidence and not shared with the vendor community in general?

Answer: See Amendment #3, item #3.

Also, see Section 2.8.1 item 4. The State SLA is per Attachment O and forms part of the technical proposal with the option for the Offeror to submit their standard SLA upon State's approval. The Offeror must agree to the terms and conditions per Attachment A and seek resolution to exceptions to Attachment A prior to submission of their proposal. All questions marked "Confidential" will be treated as such by the State and not shared with the vendor community.

40. Attachment A, Contract Terms and Conditions: Several significant legal questions impacting vendors' ability to respond remain outstanding at this time. Once those are answered, the depth of the State's contract

documents will require extensive time and effort for vendors' legal teams to examine for egregious terms. Will the State provide an extension of three weeks to the time allowed for questions, and also for the proposal due date, in order to accommodate these expectations?

Answer: See Amendment #2.

41. General Question: Does the State leverage a Learning Management System to host asynchronous/ self-study training (e.g., self-study CDs, computer based training, simulations, etc.?) If so, what LMS is used?

Answer: Yes, the State is in the process of obtaining Learning Management System prior to the implementation project kick-off.

42. General Question: Does the State have a standard curriculum/training content development tools (e.g., Adobe Captivate, Camtasia, Word/PowerPoint, Oracle User Productivity Kit, etc.)?

Answer: No.

43. Is there a breakdown of the roles for the current staff of approximately 119 individuals reporting to the OPSB Executive Director? By functional area (e.g., Payroll, Benefits Administration, Human Resources, Recruiting, etc.)? Do all of the 119 individuals mentioned fall into one of the categories outlined in Attachment I?

- a. To aid in the completion of Attachment I, is the State able to break down the following roles by functional area (HR, Payroll, Benefits, etc.), including numbers of persons in these roles?
 - i. Super User
 - ii. Core User
 - iii. Infrequent Users in non-Supervisory roles
 - iv. Manager/Supervisor
 - v. Shared Service Business Analyst
 - vi. Shared Service Technical Analyst

Answer: Please note that the Department of Budget Management's (DBM) OPSB department is the central administrative agency but the HR administrators are spread out in all the in-scope 64 agencies.

- b. Are the users to be trained all centrally located, or are they spread among different physical locations?

All the users will be trained at a centrally located location (i.e. Baltimore, MD and Hanover, MD)

44. Have all users been trained on the relevant use of the JobAps application for recruiting and testing? Do you anticipate user training for the new SPS system to need to include JobAps integration/functionality?

Answer: The training for JobAps functionality is not in the scope of this RFP.

45. Has the State leveraged a Train-the-Trainer ("TTT") approach in the past for training users internally around new business processes, software applications, etc.? Does the State view TTT programs as a viable training delivery method?

Answer: The Offerors shall propose the training that best supports their proposed solution and gives the most advantageous options for the State.

46. Please describe training facilities/classrooms that the State can provide for the delivery of any classroom based/instructor led training. Capacity, internet access, projector capabilities, etc.

Answer: The Offeror shall describe the requirements (i.e. capacity, internet access, projector, etc.) needed to conduct the proposed training in their proposed solution.

47. What training/support materials/reference materials are currently used to support the general supported population of approximately 161,000 (employees, retirees, non SPMS)?

Answer: The Offeror shall propose the best training solution for the proposed solution for the State.

48. Given a due date of July 10 in conjunction with a major holiday weekend, as well as the State's deadline of July 3 to respond to questions, we respectfully request an extension of at least two weeks. July 3 only gives us two business days to incorporate the answers into our proposal.

Answer: See Amendment #2

49. What is the State's implementation approach? Will there be implementation procurement? Will the State perform implementation?

Answer: Please see Section 1.1 of the amended RFP.

50. Is the use of off-shore resources permitted?

Answer: The Offeror's shall submit the proposal that presents the best value to the State.

51. RFP Section 2.9: Would the State kindly consider excluding ongoing/recurring services from any acceptance requirements? It is our assumption that non-deliverable services will be measured for compliance by way service levels.

Answer: Please submit questions with specific language in the RFP for which the concern applies.

52. Section 3, Attachment A and Attachment O, p. 82: Would the State kindly clarify the term of the Contract, including option years as Section 3 of Attachment A and Section O differ?

Answer: See Amendment #3, item #2.

53. Section 4.1, Attachment A: Would the State kindly confirm that vendor has no obligation to perform work beyond the not to exceed cap (NTE Amount) on the contract?

Answer: Per Section 1.3, this is a fixed price contract. The Contractor shall perform all work required in the contract.

54. Section 9, Attachment A: Would the State agree to remove the requirement for recreating lost data? Vendor's only obligation should be to restore data to the last available backup.

Answer: The State's expectation is that the data will be restored from the point-in-time of failure.

55. Section 16, Attachment A: Would the State agree to provide vendor with a minimum thirty (30) days to cure an event of default?

Answer: No.

56. Section 18, Attachment A: Would the State kindly modify the language to excuse contractor from obligation or liability due to any delays or events, including but not limited to State's actions or inactions, outside of contractor's direct control?

Answer: No.

57. Section 28, Attachment A: Would the State kindly modify the language to limit contractor's aggregate liability under the contract to an amount equal to the payments made by the State to contractor during the twelve (12) months preceding the event triggering such liability?

Answer: No.

58. Attachment F14a: SPSNFR-80 states: The System shall provide the capability to integrate toolset(s) for "Compliance management."

Can you please define 'compliance management' for this requirement?

Answer: Compliance Management means to be compliant with all Federal, State, Statutory, Security and Audit requirements associated with the proposed SPS SaaS HCM Solution.

59. Would the State be willing to allow vendors to revise their functional and technical responses post-award based on new information discovered during the demo on functionality or intended functionality?

Answer: The Offerors are encouraged to modify their response, to propose the most advantageous solution for the State per information shared thru this RFP and during demo/oral, prior to the award.

60. General Question, Internal Call Center:

Please advise how many users are in the internal call center.

Are there times when the State ramps up call center personnel (e.g., during enrollment times).

What portions of the users are hitting the knowledge articles? Is this cyclical as well?

Answer: The internal Employee Benefits Division customer service unit (call-center) has 15 members. During open enrollment period we may add a few people to the phones, but no more than five.

Please define the meaning of 'knowledge article' for the State to answer the second part of the question correctly.

61. Section 27: Section 2.7 Contractor Minimum Qualifications states

A prospective Offeror shall meet the following minimum qualifications:

Within the last five years, the proposed SaaS HCM product must have a successful implementation in an organization with at least 10,000 employees.

Within the last five years, the proposed SaaS HCM product must be in production for at least one (1) year in an organization with at least 10,000 employees.

Question:

1. Would the State consider an Offeror who can provide solution with lower number employees?

2. Would the State consider an Offeror who meets this requirement based on combination of both software license and Hosted solution?

**Answer: 1. No.
2. No.**

62. Would the State be interested in a outsourced solution as an alternative to the solution requested in the RFP? In an outsourced solution, we would replace your staff with ours, working from our service center. Provide you with license free use of our technology as a bundled package with Low cost modifications now and in the future. Ours is always without exception, the lowest cost solution than any other ERP solution in the market. It is always 30%-50% lower than your current costs on an 'all in' basis.

Answer: No. Please see and review Section 1.1 of the amended RFP.