

STATE BOARD OF ELECTIONS

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Deputy Administrator

Q&A Set #1
Election Project and Other Support Resources TORFP
D38B0600001
08/19/2019

Ladies/Gentlemen:

SBE is issuing this Question and Answer Set #1 in response questions asked through August 19, 2019 for TORFP D38B0600001. The statements and interpretations of contract requirements, which are stated in the following questions of potential offers, are not binding on the State, unless the State expressly amends the TORFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

1) How many master contractors SBE plan to award for this TORFP?

A: Up to 2.

2) Per TORFP, the section **2.3 TO Contractor Responsibilities and Tasks** states

“At a minimum, the TO Contractor’s workspace should be able to accommodate up to 20 resources and have space for team meetings (e.g. conference room).”

Why is SBE requiring 20 resources work space for each contractor?

A: At any given time during the contract term, there could be a work space need for up to 20 individuals. Not knowing which vendor will be providing the requested resources is why there is a requirement that each has space for up to 20 individuals.

3) The TORFP states that SBE anticipates issuing 9-12 work orders. How many total resources SBE planned to obtain from 9-12 work orders?

A: 10 - 15 resources are planned for the 9 - 12 work orders that will be generated soon after contract award.

4) On Page 20, Section 3.7.2 Personnel Experience, C one of the "preferred qualifications" is election technology related project experience. If my Project Manager does NOT have election technology related project experience, will he/she still be considered for the position? It does say "preferred qualifications", but I do want to confirm.

A: Yes. Minimum qualifications are required but preferred are not. Preferred qualifications are taken into consideration for technical rankings during the evaluation process, so a candidate with preferred qualifications would likely receive a better ranking than those without. However, a candidate will not be eliminated based on not meeting preferred qualifications.

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Q&A Set #2
Election Project and Other Support Resources TORFP
D38B0600001
08/28/2019

Ladies/Gentlemen:

SBE is issuing this Question and Answer Set #2 in response to a portion of the questions asked through August 27, 2019 for TORFP D38B0600001 including a portion of the questions asked at the Pre-Proposal Conference. We anticipate the remainder of the questions will be answered in the next two (2) days. The statements and interpretations of contract requirements, which are stated in the following questions of potential offers, are not binding on the State, unless the State expressly amends the TORFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

1) Regarding the 9-12 resources that are already working on an SBE contract: can you specify what labor categories they are?

A: Anyone who is listed in Appendix 6 with a start date of January 1, 2020 falls into this category.

2) Regarding n the cyber security insurance, would you consider reducing the amount or shortening the term listed in the TORFP which includes the full term of the contract plus 3 years?

A: No we will not amend this requirement; what is in the TORFP currently is the DOIT standard requirement approved by the Maryland Director of Cyber Security and our Assistant Attorney General.

3) When is the anticipated award date?

A: Our goal is January 1, 2020 as this TORPF will require BPW approval. We cannot say for certain because the number of proposals received will dictate the length of the evaluation, amongst other factors.

4) Regarding the replacement of pollbooks and potentially a new voting system, would that be covered under this contract?

A: The procurement of hardware/voting machines would under separate contract but the resources to assist with such potential procurements would be covered under this.

5) In section 2.3.1(B), you mentioned that Contractors should supply access to their internal systems to the State. What do you expect us to have and what do you expect us to have access to? Do you need access to our system or vice versa?

A: What that section refers to is that the Contractor will have access to SBE systems as necessary. Any access to, say, a shared drive, SBE will provide what needs to be done to have access to the selected Contractor. The equipment you have should have the capability of VPN connection, etc. and other requirements.

6) Does the MBE subcontractor have to be a registered SBR like the Prime?

A: No, only the Prime has to be an SBR.

7) Regarding the background check requirement, what background check types are required?

A: If the individual is a Maryland resident, the background check can be through CJIS (local background check). If the individual is not a Maryland resident, a Federal background check is required.

8 Does SBE do the background checks?

A: No, the vendor is required to do the background check.

9) In order to verify the availability of the key personnel project manager, is it appropriate for offerors to include proof of employment or a letter of commitment in their proposals?

A: At this time the answer is that it is not necessary.

10) For the Key Personnel Project Manager, will an individual with a PMP be rated higher than an individual without a PMP?

A: No.

11) If an offeror has data breach insurance with limits above \$5M, will that offeror be evaluated more favorably than an offeror with a limit of \$5M?

A: No, that is not a criteria for evaluation in the TORFP. SBE will be verifying that the Offeror has stated the requirement will be met, but additional insurance will not impact the technical ranking.

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Q&A Set #3
Election Project and Other Support Resources TORFP
D38B0600001
08/28/2019

Ladies/Gentlemen:

SBE is issuing this Question and Answer Set #3 in response to questions asked through August 27, 2019 for TORFP D38B0600001, including questions asked at the Pre-Proposal Conference. The statements and interpretations of contract requirements, which are stated in the following questions of potential offers, are not binding on the State, unless the State expressly amends the TORFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

1) In looking at the contract requirements, you have specified that the contractor shall have an office space to accommodate 20 people within 10 miles of the SBE offices. Since we are all SBR companies, how do you expect us to cost that in? Especially since some work orders are only for 1-2 months. Leasing office space is a certain cost, and you also mention you require 9-12 resources but you require the contractor have office space for 20 people. Please clarify.

A: SBE will be removing the leased office space requirement by amendment, meaning the TO Contractor(s) will no longer be required to provide work space. The amendment will include the guidelines for a TO Contractor resources for which no work space is available at the SBE offices being allowed to work remotely.

2) Why is there a need for space within 10 miles? Would being available within 1 hour of travel be acceptable/in the DC Metro area?

A: See response to question #1.

3) I understand the 3 work places (remote, at SBE as space allows, and in leased space within 10 miles of the SBE offices), but how many people do you expect to be in the 10 mile workplace space?

A: See response to question #1.

5) Do we have to give the lease amount at the time of award?

A: SBE will be amending the TORFP so that leased space by the TO Contractor(s) is no longer a requirement.

6) Regarding the 10 miles requirement, can we submit a request for reconsideration?

A: See response to questions #1 and #5.

7) Regarding the leased office space within 10 miles of SBE requirement, should we propose space right now, or can we propose space once we are selected for award?

A: See response to questions #1 and #5.

8) Is there a reason you would be willing to share for the 10 mile requirement?

A: See response to questions #1 and #5.

9) Due to the requirement that we include the lease of rental space within 10 miles of SBE in the hourly rates, there is an issue that we may exceed our master contractor published ceiling rates, which is prohibited. Is there a way to separate that as a separate expense on the pricing sheet?

A: See response to question #5. This should no longer be an issue due to the removal of the leased space requirement.

10) You are saying you can award to up to 2 Master Contractors. There is no guarantee both will get the same amount of work because one vendor may receive more work order awards. What happens if we win the task order award but we do not receive any of the individual work orders? Would we have to get lease space?

A: There is the potential with the dual award model that one vendor would receive most if not all of the work orders, however the work orders would be offered to both vendors and the Agency would select the best resource. Leased space by the selected Contractors is no longer a requirement.

11) If you can modify the price form to have office space separate from labor costs, that would give you a clear indication of who is giving you fair pricing for labor. And the not to exceed the CATS ceiling is an issue. Can I request you modify this?

A: See above.

12) In order to verify leased office space, is it appropriate for offerors to include the lease for office space in their proposals?

A: See above.

13) What is the page limit for technical proposal?

A: There is no page limit, however per section 5.3.4 of the TORFP, TO Proposals submitted via e-mail must not exceed 25 Mb. If a submission exceeds this size, split the submission into two or more parts and include the appropriate part number in the subject (e.g., part 1 of 2) after the subject line information below.

14) What are the tools and technologies used across applications of State Board of Elections (SBE) that needs support under this TORFP?

A: The google suite, including google docs will be utilized, and the applications that need support are:

Software: SQL Server, Citrix, Webex, Voter Registration database, Microsoft Office Suite,

15) Regarding n the cyber security insurance, do we need to get this before we submit the RFP response or after the award?

A: You must confirm you will obtain the required cyber security insurance within 5 days after recommended award in your proposal. Refer to TORFP page 42.

5 Business Days after recommended award	Evidence of meeting insurance requirements (see Section 3.4); 1 copy
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16) Does the subcontractor needs to be a CATS+ vendor? or can we use a non CATS+ vendor as a subcontractor?

A: No the subcontractor does not need to be a CATS Plus vendor. The Prime Contractor must be a CATS Plus functional area 10 Small Business Reserve (SBR) contractor.

17) Does the MBE subcontractor needs to be a CATS+ vendor? or can we need non CATS+ MBE vendor as a subcontractor?

A: No, the MBE subcontractor does not need to be a CATS Plus contractor. It just needs to be a certified MBE. MBE certification can be verified here: <https://mbe.mdot.maryland.gov/directory/>

18) For price proposal excel file it says “Submit this Excel file and a signed PDF file with your Financial Proposal.”

Do you want us to submit excel file and convert excel to pdf and sign the pdf and send?

Do we need to insert signature on excel file?

Do you want us to password protect excel file?

A: You should sign the excel pricing sheet and PDF format pricing sheet. SBE requests both formats and yes, both should be password protected.

Question 19) Regarding technical proposal, do you want us to submit all technical proposal documents as one pdf file?

A: SBE requests that you submit the technical proposal affidavits and attachments as separate files attached to one email.

Question 20) Regarding price proposal, do you want us to submit all price proposal documents as one pdf file and one price proposal excel file?

A: Yes, please submit two versions. One in the excel worksheet and one as a PDF document. Please password protect both.

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Q&A Set #4
Election Project and Other Support Resources TORFP
D38B0600001
08/30/2019

Ladies/Gentlemen:

SBE is issuing this Question and Answer Set #4 in response to questions asked through August 30, 2019 for TORFP D38B0600001, including questions asked at the Pre-Proposal Conference. The statements and interpretations of contract requirements, which are stated in the following questions of potential offers, are not binding on the State, unless the State expressly amends the TORFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

1) Can we know the name of the vendor who is not available to bid who has the 9-12 resources?

A: Election Systems & Software (ES&S)

2) In the TORFP it says:

IMPORTANT: If this TORFP contains different Functional Areas or Service Categories. A separate Attachment D-1A is to be submitted for each Functional Area or Service Category where there is a MBE goal.

Question:

1. Could you please let us know if we need to submit only one MBE form with this proposal response?
2. MBE form is a 27 page document. Which parts of MBE form do we need to submit with the proposal response?

A: Please follow the instructions closely on the MBE Affidavits. Part 3 allows for multiple MBEs to be listed, so you do not have to complete all of the MBE documents for each MBE, you can list all of the MBEs on the documentation provided. You should complete all parts of the MBE documentation.

3) On the Living Wage document, is the contract number means the solicitation number of this opportunity D38B0600001 or offeror's CATS+ master contract number?

A: That means the TORFP Solicitation # D38B0600001.

4) Since this is SBE data, do SBE provide the necessary hardware like Laptops or the vendor should provide their own laptops? Asking this since there security requirements specific to SBE.

A: The equipment (e.g. laptop) is the responsibility of the contractor. That sentence states that the contractor supplied equipment should have or the capability of having VPN connection software. Specifically, the laptop or desktop computer will need to have Cisco AnyConnect installed and also the individual's cell phone will need to be able to have installed the DUO Security application for the 2nd factor authentication.

5) In the TORFP you speak about managing COTS applications. Have you identified any COTS platform so that we can align our recruitment efforts accordingly?

A: No

6) What will be the core technology stack Microsoft OR Java / open source?

A: Microsoft

7) What will be the core database platform?

A: SQL Server and Oracle.

8) For the Analyst, Computer Systems LCAT listed in the RFP and pricing template, should that be the Junior or Senior LCAT? I do not see an LCAT for "Analyst, Computer Systems" in the CATS+ RFP.

A: Both the Analyst, Computer Systems and the Analyst, Computer Systems (Senior) are in the pricing template under different tabs. The "Analyst, Computer Systems" is in the "Critical Labor Category Rates" tab. Be sure to check all tabs. The titling it should be "Analyst, Computer Systems (Junior)". The Agency is making the updates in the TORFP which will be released with Amendment #2 next week.

9) Will SBE consider extending the proposal submission date beyond the current date of Sept. 12, 2019?

A: Yes, the TORFP has been extended until September 18, 2019 at 2:00 pm per Amendment #1.

10) Section C- Minimum Qualifications Documentation, Section 1 does not state what documentation is required to meet the Minimum Qualifications Documentation

requirement. Does this mean that separate documentation other than what is defined within Section D of the TORFP?

A: The documentation requirements for Minimum Qualifications are provided for in section 5.4.2 (D) Proposed Personnel and TORFP Staffing.

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Q&A Set #5
Election Project and Other Support Resources TORFP
D38B0600001
9/5/2019

Ladies/Gentlemen:

SBE is issuing this Question and Answer Set #5 in response to questions asked through September 5, 2019 for TORFP D38B0600001. The statements and interpretations of contract requirements, which are stated in the following questions of potential offers, are not binding on the State, unless the State expressly amends the TORFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

1) Could the State provide the current contract number (TORFP or Solicitation#) under which the contract to incumbent vendor ES&S was awarded?

A: There is no existing contract currently in place with this scope of work, so there is no incumbent. The contract under which ES&S is a subcontractor is MDVOTERS III Application Software Maintenance # D38B5400001. There are many Agency contracts in which ES&S is the Prime, including the Statewide Voting System Solution contract for the voting equipment. They are also the Prime for the automated ballot printing and mailing and activation card procurements, as well as the ePollbook contract and the contract for the software that allows the ePollbooks to operate as intended.

2) If the incumbent is not eligible to bid as prime, can they be a sub to another SBR prime? Is that allowed? We are asking this because if the ineligibility of the prime is due to conflict of interest, then as per COMAR and DoIT policy those vendors are not allowed to participate as sub to any other prime as well.

A: There is no incumbent. ES&S is ineligible to bid as a prime due to the fact that they are not a Master Contractor, not due to any conflict of interest issue. We have learned that ES&S has released their employees are from their non-competes.

3) The solicitation lists two Project Manager roles. The Key Personnel role requires significantly higher experience than the LCAT description for the Project Manager role in the CATS+ RFP. For example, the KP requirement is 12 years experience plus a PMP. The PM experience is only 5 years with no PMP.

Will SBE accept a different price for the non key personnel Project Manager?

A: Master Contractors should provide a price for each resource type in the financial proposal under each tab. It should also be understood that any subsequent submissions of a Work Order for a Project Manager(s) will have additional requirements beyond what is in the LCAT description for that request(s).

4) It is my understanding that to qualify as a small business, we need to meet the statutory requirements set forth in State Finance and Procurement Article, §§14-501—14-505, Annotated Code of Maryland, and be certified as Small Business Reserve contractor.

A: That is correct. Also, DOIT's CATS Plus website has a list of master contractors in each functional area, and since this was designated SBR the Procurement Officer released the TORFP to only Functional Area 10 SBR Designated contractors. You can check your status here:

http://www.doit.state.md.us/itmc/mc_fa.aspx?smc=15&FA=10

Please remember that only Functional Area 10 SBR Designated contractors are eligible to bid on this TORFP.

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Q&A Set #6
Election Project and Other Support Resources TORFP
D38B0600001
9/9/2019

Ladies/Gentlemen:

SBE is issuing this Question and Answer Set #6 in response to questions asked through September 9, 2019 for TORFP D38B0600001. The statements and interpretations of contract requirements, which are stated in the following questions of potential offers, are not binding on the State, unless the State expressly amends the TORFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

Question 1) On MBE Form D-1A, it says as below. If we have any questions while completing this form, can we call someone and talk to make sure we will complete this form correctly?

If the bidder/offeror fails to accurately complete and submit this Affidavit and Schedule with the bid or proposal, the Procurement Officer shall deem the bid non-responsive or shall determine that the proposal is not reasonably susceptible of being selected for award.

A: SBE will not be assisting vendors with completing the forms on their responses by phone. Please follow the instructions closely on the forms. If there are minor errors, the Procurement Officer intends to allow for a cure period to notify vendors of necessary corrections upon review of the "D" and other attachments. There will not be an automatic elimination based on mistakes made, however, SBE does not intend to issue any waivers so the 30% MBE subcontract goal must be met utilizing certified MBE subcontractors. MBE certifications can be confirmed here:

<https://mbe.mdot.maryland.gov/directory/>

Question 2) Page D-7: If the MBE prime is not going to count its performance towards the MBE goal, can we just leave complete section blank, on the right section (SECTION A: For MBE Prime Contractors ONLY (including MBE Primes in a Joint Venture)).

A: Yes.

Question 3) Page D-8: SECTION B: For all Contractors (including MBE Primes and MBE Primes in a Joint Venture)

Since this is an IT services contract, on the right hand section should we select “Furnish and Install and other Services (count 100%)” checkbox and enter percentage in prompt A (A. Percentage amount of subcontract where the MBE firm is being used for manufacturer, furnish and install, and/or services (excluding products/services from suppliers, wholesalers, regular dealers and brokers) ___%)

A: That is correct. For this TORFP, the Furnish and Install Other Services box (100% is applicable) since this is an IT Services contract on page 8 of the “Attachment D” forms located: <http://procurement.maryland.gov/wp-content/uploads/sites/12/2018/05/AttachmentDMBE-Forms-1.pdf>