TO: MASTER CONTRACTORS

FROM: Dorothy M. Richburg
Procurement Officer

RE: ADDENDUM I – JUVENILE SERVICES EDUCATION (JSE) COMMERCIAL OFF THE SHELF (COTS) STUDENT INFORMATION SYSTEM (SIS) SYSTEM DEVELOPMENT TORFP #R00B3400094

DATE: October 5, 2013

YOU SHOULD RECEIVE 44 PAGES

In addition to the Server Information, Desktop Specifications and attendance sheet. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 410-767-0628 OR EMAIL drichburg@msde.state.md.us

THANK YOU.

Attached are the following documents:

1. Minutes from the Pre-Proposal Conference held on Friday, September 27, 2013;
2. Questions received before and after the Pre-Proposal Conference;
3. Revised Price Proposal;
4. MBE Liquidated Damages;
5. Server Information (2 Documents);
6. Desktop Specifications; and
7. Attendance Sheet from the Pre-Proposal Conference

Please note: Vendor oral presentation is tentatively scheduled for Tuesday November 12th, Thursday November 14th, and Friday, November 15th.

PLEASE NOTE NEW PROPOSAL SUBMISSION DATE

PROPOSALS ARE DUE TUESDAY, OCTOBER 22, 2013
NO LATER THAN 2:00 PM ET

MarylandPublicSchools.org
ADDENDUM I
JUVENILE SERVICES EDUCATION (JSE) COMMERCIAL OFF THE SHELF (COTS)
STUDENT INFORMATION SYSTEM (SIS) SYSTEM DEVELOPMENT
TORFP #R00B3400094

Received By______________________________________________________
(Print Name)

Signature___________________________________Date__________________

Vendor__________________________________________________________

Telephone No._____________________Fax No. ________________________

PLEASE E-MAIL, FAX OR MAIL THIS TO:

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MS. RICHBURG:
For those of you who do not know me, I’m Dorothy Richburg. And I’m a Ravens fan. And I’m the Procurement Officer. Yes.

MS. RICHBURG:
That’s right. It’s been an interesting season already. Okay. I’m going to give you some instructions on how we’re going to conduct our Pre-Proposal Conference.

We’re going to start off with our introductions, after which we will have an overview by Gary Kenney, who is our Project Manager for this procurement, and/or Trish Alvey who is the Executive Sponsor.

We also have with us our CIO, Beth Perlman, and we’ll always give way to her if she would like to have something to say, as well.

And once we do that, I have a few things that I want to go over, and then we will entertain questions and answers. We will conduct this round-robin style. So we’ll go all around as many times as you like and we will ask that you would only ask one question. That we be considerate to the others here so they can ask their question. But I mean, if it’s a follow-up question, then we can go ahead with it.

So if we do not know an answer to a question today, it will be submitted to you in the written minutes. We have this us this morning, Doug, who is from the Conference Reporting Services. He’s here strictly for the purposes of taking the minutes.

The proposals are due Friday, October the 18th by 2:00 p.m. Eastern Time. We hope to have the minutes out to you by the end of next week. We hope, but don’t hold me to that. So with all of that said, I’m going to start with introductions. And I’m going to start with Beth and we will continue around to my right.

MS. PERLMAN:
I’m Beth Perlman. I’m the Chief Information Officer.

MS. ALVEY:
I’m Trish Alvey, and I’m the person in the Juvenile Education Services Program here at MSDE who wants the system more than anyone else.

(Laughter)

MS. RICHBURG:
And I’m Dorothy Richburg, Procurement Officer.

MR. KENNEY:
Good morning, everyone. My name is Gary Kenney, I’m the Project Manager for this project and SLDS Grant for Fiscal Year 12.

MR. PALCHER:
I’m Tony Palcher.

MR. CERASI:
I’m Rhea Ann Cerasi with Info ...

MR. RHYM:
My name is Phil Rhym. I work for MFR Consultants. It’s a consultant firm out in Philadelphia, Pennsylvania.

MR. RICCHICETI:
I’m Paul Ricchiceti, also with MFR.

MS. GOLDBERG:
I’m Malkiyah Goldberg of Dvanida Consultants.

MR. GAUGER:
Don Gauger, Pro Afterschool, we’re an education data management company.
MR. ATHRETA:  
    Narayan Athreta, I-Cube Systems.

MR. LEE:  
    Robert Lee, F Key Technologies.

MS. SERACI:  

MS. FORD:  
    Gena Ford, Mathtech

MR. BOWELL:  
    Rob Bowell, Tandem Conglomerate.

MS. SCHAD:  
    Amber Schad, Gantech.

MR. KWISTOWICZ:  
    Heath Goisauich, DK Consulting.

MS. LEPIC:  
    Lisa Lepic from Pearson.

MR. ZERNHOLT:  
    Brian Zernholt, Software Consortium.

MS. RICHBURG:  
    Okay.  Nandita

MS. GADUDURI:  
    Nandita D Gududuri , AP Ventures.

MR. CUSACK:  
    Bob Cusack, Custom Software Systems.

MS. JUDD:  
    Robin Judd, Custom Software System.

MR. BARNES:  
    Tracy Barnes, ENTAP.

MR. MATTOLA:  
    Ken Mattola, Software Consortium.

MS. RICHBURG:  
    Okay.  There is a sign-in sheet and I’d ask if everyone can sign in, please.
    I said I was going to let them do an overview first, but I’m going to get my couple of things out of the way first.

    There is a 25 percent MBE goal that we’re looking to be adhered.  You can see the sub goals that are within the TORFP.  However, I neglected to include the liquidated damages for the MBE.  So I have a copy of that and it will be submitted with the written minutes.

    Also, with the cost proposal, we did not include estimated hours for the labor categories.  That was on Attachment 1-A on the price proposal.  We will do that when we submit the minutes.  So you will get a copy of the liquidated damages along with a revised cost proposal.

    Those are the only two things that I wanted to get out of the way.  Now I’ll turn it over to Gary.

MR. KENNEY:  
    Okay.  Good morning.  I’ll give you the overview.  This is right out of the TORFP so it’s consistent with what you’ve read so far, but I just want to give you a high-level overview.
What we’re doing is, we’re issuing, we’ve issued this CATS+ TORFP to purchase a COTS SIS that will be used by Juvenile Services Education. That’s part of Phase 1 where we’ll procure the vendor to customize and implement the SIS and provide user training and support.

Also part of that is five years of operations and maintenance. Then as far as the user community, we’re looking at 800 to a thousand students and JSE as far as the organization, how it’s structured is we have headquarters here at MSDE and we have 14 school locations which are also identified in the procurement document.

Then currently what they’re using is Word and Excel templates for reporting. And we’re looking to update the capabilities through procurement of the SIS. And Phase 2 of this project is going to be creating data file transfer capabilities with the LEA’s within the state.

But I want to know that it doesn’t change the population of the students at JSE. Some of the questions, does that increase the population? No. You’re dealing with the same student population.

Phase 2 is just to automate the current process where they’re sending student demographics which are detailed in the student records manual. They’re sending that manually. So what we’re looking to do in Phase 2 is to automate that where they can send it SIS to SIS. And the reason that’s important is that the students that are in the JSE program are very transient.

They go from their home LEA to JSE and then back to their home LEA. So that’s why Phase 2 is important to eliminate the manual processes.

MS. PERLMAN: But those 100 students, you’re talking about 100, how many students?

MR. KENNEY: 800 to 1100.

MS. PERLMAN: They’re not always the same, right. So they come out and new ones come in. So there’s probably only 800 to 1,000 active at any one time.

MR. KENNEY: Right.

MS. PERLMAN: But the total population, I just want to make sure everybody understands that, could be a few thousand people.

MR. KENNEY: Yeah, that’s a good point Beth. Because of the transient nature, you know, you could be dealing with two to three thousand unique students, although the population within the schools is 800 to 1,000 in toto.

And the time frame for this work would be, to be performed at the end of this year and the first quarter of next year. And that’s a high level overview.

MS. RICHBURG: Okay. Trish?

MS. ALVEY: I think he covered pretty much anything in terms of questions.

MS. PERLMAN: I think we’ll wait till after.

MALE VOICE: It’s sort of maintaining ...
Okay. Well, that’s good.

Q. Is there any possibility those students will leave and come back?

MS. ALVEY:
Yes. That’s what we said. They’re not the same. It’s a cyclical type of thing.

MS. PERLMAN:
Yes, but we have a stagnant amount of space in each school. So therefore we know that our population can only be maintained at that stagnant level unless somebody builds a new building or something else that comes along. That’s pretty much, but what he referred to, that there are more students, for example, last year I would have said the population would have been around 3,500, but those are people coming and going.

MS. RICHBURG:
Okay.

MS. ALVEY:
So it’s important to know that they might not go back to the same LEA that they came from.

MS. PERLMAN:
And they may not go back to the same school they came from.

MS. ALVEY:
Right. They’re really transient.

MR. KENNEY:
Potentially they have some type of credentials you would want us to keep that profile and then not delete it?

MS. ALVEY:
Absolutely. Absolutely.

MS. PERLMAN:
So in this state we have a student ID that is a unique identifier for that student. That unique ID follows that student regardless of where they go.

MS. RICHBURG:
Trish has nothing?

MS. PERLMAN:
From an IT perspective, there are some things that I really, I want to be focused on. One is Cyber Security. This is very sensitive data. We are open to a variety of solutions including a hosted solution as well and/or a solution that resides at MSDE.

If it does, where it sits in the firewall is very important. The Cyber Security, the Encryption are extremely important aspects of the whole thing.

The other thing is sustainability and while this grant will pay for five years of O&M, there’s the, it’s nice that we got federal funding, but after this, it’s going to come out of state dollars. And so it has to be a really efficient solution, and there is not a pile of money at all.

Because this is what I’m dealing with a lot of federal grants kind of thing. And then again, Gary sort of covered the integration.

There’s information that goes back into our education data warehouse as well as integrating with the Student Information Systems and realize that we have 24 LEA’s. They’re pretty much concentrated on, I mean maybe four SIS’s of which two being probably pretty prominent, so being able to get information in and out is extremely important.

MR. KENNEY:
And I should also add that this is a firm fixed-price contract for defined deliverables. But the T&M component with this is for if they want to do any more data file transfer like to the SLDS, but that’s not included in the scope right now because we haven’t defined the data elements. And I want to be very specific about the scope of this. You know, I provided the reports that Trish manages, so you knew the requirement.

So I just wanted to point out there, there is a time and materials component of this contract for data file transfer to be defined later. And it would just be student level data.

Q. Demographic?
A. Yeah, demographic type of data.

But we don’t know what those elements would be yet, until we get the system up and running. So I didn’t want to just put generic requirements in there because I know you can’t quote that. That’s why we have the T&M component as well.

MS. ALVEY:
Fourteen sites right now are not all connected to the Internet. They will be. This really needs to be, the size of the pipes vary, so it has to be very thin client and efficient.

MS. RICHBURG:
Yes, Tracy?

MR. BARNES:
Is that desktop standard across all the types at this point?

MS. RICHBURG:
We are getting to the point where we’re deploying a standard desktop, and we’re also looking potentially in the future of virtual desktop. That’s why it better be thin client, because I don’t want to put anything on the desktop.

MS. RICHBURG:
Okay. So we’re going to go ahead and get started and I’m going to start here with you, sir. And I’m going to go over it just one time. State your name again for me and your company. Randy?

MR. SAYRES (?):
Randy Sayres(?) (inaudible).

MS. RICHBURG:
Okay. Phil?

MR. RHYM:
Yes, ma’am. My name is Phil Rhym. Do you want to have an electronic registration system as part of this, and if so, do you want to have the ability for, I’d say any type of user to be able to change their own information as you can log into your own profile and they can edit their own.

MS. RICHBURG:
Would you like to...

MR. KENNEY:
Our registration enrollment is one of the core functional capabilities for the COTS SIS’s, so I’d say yes, we want that. But in this case the students wouldn’t be changing any of their information. They wouldn’t have access to the information. The JSE staff knows.

MS. ALVEY: It would only be Administration? JSE Staff with layers of entry into certain parts and components of it. And not other students cannot go in to the system.

Q. For instance, they (inaudible) or something like that.
A. Well you can take care of that. It would not be student taking care of anything.
MS. PERLMAN:
   It would be high security.
A. Yeah.
MS. PERLMAN:
   That’s part of our security.
MR. KENNEY:
   We’ll need access and you would assume that the students would never have access. This wouldn’t be like a traditional SIS where students have access to the portal and the parent portal would probably not be relevant here. So I hope that answers your question.
Q. I was just asking because if you look at the SIS’s out in the 24 LEA’s, they actually have parent portals where the parent can’t change information, but actually has the ability to view whether it’s grade, books or different things, it’s different functionalities that they may be able to see. But just to be clear no parent portal.
MS. PERLMAN: We left it in there, right?
MR. KENNEY:
   Yeah.
MS. PERLMAN:
   We left it in there but we want to make sure prior to making the commitment, that yes, we’re going to do the parent portal. We need to look at, I guess at the legal issues on the functionality to make certain that, you know, when we say parent portal, we understand our students are again transient and it may be that it’s the person who was authorized. And so we have to look at all of those guardians.
Q. As to the who the guardian is.
A. Right. Who the guardian is, the parent.
MS. ALVEY:
   We want the functionality but there’s a lot of issues we have to work out about guardianship and things like that because again, it was sort of mimicking what we do in the LEA’s. The LEA’s have the ability for the parent to see information. They even have the ability for the student to see information, not to change anything, it’s viewable.
MS. RICHBURG:
   Okay.
Q. Okay. I guess my one question would be, do you require various HIPAA controls around student health information? And along with that, will you require auditing to see who internally is accessing our grids?
A. As far as I know, the controls, I can’t recall what’s in the student records manual. But that’s really the standard for transferring information.
MS. ALVEY:
   We got to have some controls. It’s more of an issue at the student level than HIPAA.
MR. KENNEY:
   And that’s one of the requirements too, is perfect compliance.
MS. ALVEY:
   However, we can reconfirm the HIPAA because I’m thinking that, you know, within the context of your question, I believe we do have health issues that the student is involved with and
I’m assuming that there’s some kind of registration like you’re saying, it might even be the other... We can confirm that for you.

MS. PERLMAN:

I would think the controls actually come into the level of who can see what. So we have to be able to create roles of who can see that information and who can’t.

So you have the flexibility of the fields and which security rolls can see that.

Q. And I’m sorry. Just I know we’re limited to one, but.

MS. RICHBURG:

That’s okay.

Q. Regarding the security, I mean it’s virtually impossible to propose a solution without actually seeing your environment to make it tight from both internal threats and external threats. Is there any possibility of having it on some assessment?

A. I would say no. Because I want to see what the solutions are. I mean if it’s posted it’s different. If you want to say you want to use active directory, better aid services, it’s different.

I mean just tell me what you would need in your proposal. I would not say, we actually have two data centers and the more hardened one is up at the Department of Public Safety and Correctional Services. I can’t take anybody up there because you all have to go through a background check first and that will take a while.

So tell me what you’re proposing and we can figure out from there what we would need to do.

I would actually tell you, don’t assume the most hardened environment here. Okay. If you want to know some technical, whether the process of buying a five-load balance if that also helps in your protection. We have your typical perimeter protection through using a CISCO environment.

I also don’t want to divulge too much information because that sort of is really bad as far as my protecting my security. So unless the solution would not be out of the question which takes some of this out of the picture.

A. Sure.

MS. GOLDBERG:

Malkiyah Goldberg, Travita(?) Consulting. Questions around the number of staff members and users from a licensing standpoint. At any given time, how many users would be on the system in the normal framework of your five-day business week?

A. Simultaneously or?

Q. Or just employees totals. Do you have... From 800 to 1,000 for the students’ infr because of the student population.

MR. KENNEY:

Yeah, we know through the staff, I think it was 170 concurrent field staff members across the 14 square facilities and 20 at MSDE Headquarters Staff here at MSDE.

Q. So 190 people but they wouldn’t be on it necessarily at the same time.

A. Yes.

MS. ALVEY:

Nor would 190 have access. You’re saying that’s how many staff, right?
MR. KENNEY:  
Right, yeah.

MS. ALVEY:  
So primarily at each school there are designated individuals who work with this data. And they work with me directly now and coordinate everything. If there’s ever a change in that, I know that there are two people who are doing it or three people.

I always know who’s working on the data and what they’re doing with it. So I mean we have designated individuals at the 14 schools. There’s a current one that we call a flow chart, where (inaudible) individuals are listed. Change is obviously, you know, due to turnover.

But I would say that on an average day, I’m on it all the time. So I’m constantly on it.

Q. So you will provide us, the power users versus the licensee versus...

MS. PERLMAN:  Regardless, it’s not a tremendous population. I don’t really think this should enter into the picture because seriously, even if it’s 100 people banging on the system at the same time, that’s not a lot.

Q: No, it’s not.

MS. PERLMAN:
No. So I mean ...yeah I would say 100.
I mean I wouldn’t try anything more exact. But 100 people banging on the system at the same time.

Q: Okay. Thank you. Thank you.

MR. (inaudible):
Q. My question, my one question, relates to Phase 2 where you’re talking about integrating with the LEA SIS’s. The list that was provided in your RFP listed all the different vendors that are supplying it.

A. Right.

Q. So my question is, is all the current SIS’s in the LEA’s, do we have an operable SIS agent that will currently running and then the second part, if not, what is the methodology for interfacing with those SIS’s that you are going to utilize?

MS. PERLMAN:
I’ll just tell you right now we get extracts from them because we build this all into our education data warehouse, so there is a mechanism. What that is, I don’t know, other than they do it a few times a year.

I don’t think we’ve defined how interactive we need to be with the LEA a this point, but I would actually think that any of these systems can take CSE files or anything like that and import it. We’re not talking about large volumes of transactions here.

Q. No, I understand. But there are existing SIF agents, I don’t know. I mean, did they have existing operational S1 agents?

A. Here’s what I’ll tell you. Such a mixed bag of what we have done is do anything. No, seriously. And then we have to work on it, import functionality, and if they have that, that’s great.

But we can’t assume, I mean we have LEA’s that go from a few thousand students to 150,000 students. So the level of sophistication varies depending upon the number of students and how interactive their, and how much they put into their student information. Okay?

Q. Got it.

A. Well I think you’re sending a few
records at a time. You’re not sending thousands of records at a time.

Q. Okay. Thank you.

MS. RICHBURG:
Did you want to say something else?

FEMALE VOICE:
I heard you.

MS. RICHBURG:
Arayan?

MR. ATHRETA:
Arayan Athreta from I-Cube Systems. All of my questions already answered but since you want us to propose a current solution which we are saying there’s nothing right now, in Maryland Educational Department, a solution for the Student Information System.

A. We don’t own an Student Information System here at all. Everything is in the LEA’s.

Q. Okay.

A. They work off an access data base and some other things. File structure.

Q. So you added the Legacy System SID... I mean the data residing now, if you want to put up a cost solution, I want April data. So what is the structure of, I don’t want the structure...

A. The access data base is, and I think it’s in 14 locations. It’s not even in a centralized location. So you have to remember. I’m not even sure of all the people who are actively students now. Anyway, they might be starting from scratch and created some of this data. Do we need history at all?

A. Yeah.

Q. So we go to convert the history. I’m assuming 14 active data bases that have to be converted.

A. And some we may have to do manual data entry as part of refreshing of those LEA’s, right?

Q. Do we have to access that data base in all 14 locations?

A. No. We’re just talking about the 14 JSE schools. We have reports from 2010, July 1, 2010 to current date that we want to have migrated into the SIS and Trish has those reports in electronic and paper form, and I’ve provided an appendix, I provided a listing of the reports and copies of the reports.

So what we’re looking at is migration of any of those reports for the 14 schools from July 1st 2010 to our go live date.

Q. Okay. So some exist in a data base that can be converted; others exist on reports and there’s probably no way to extract that information. It has to be done manually.

A. The majority are not on the data bases.

MS.

Right.

MR. LEE:
Robert Lee, F Key Technologies. My question’s already been asked.

MS. RICHBURG:
Okay.

MS. FORD:

Gena Ford with Mathtech.

Q. So based on what you’re saying, are you’re saying that there will be a data cleanup effort that’s needed. The problem with migration, we have issues with duplication, missing data, inconsistencies across the board.

MS. PERLMAN:

I think anything that exists on paper is fair game, that needs a data cleanup. Actually, even the stuff in the database — it’s in an access database. Anything can happen to that data.

Q. So is there any consistency between accessing the database or they’re all different and developed by different people?

MS. PERLMAN:

I think they started at the same source, but I don’t know how they’ve taken on a life of their own in each of the locations.

MS. PERLMAN:

What Gary referred to is I have everything. I have all 14 schools’ data. I have everything. It’s all on the computer and I have all of the updated data. It has already...

Q. Electronic form? It’s in a database form or --

MS. PERLMAN: That’s what I was going to say, it’s not on (inaudible). It’s on Excel spreadsheets, Word, you name it. But it is data that has been scrubbed clean, I guess what, legitimized over time. Everything that comes through here on a monthly basis, just so you can understand, those reports come to me.

I confirm, verify, talk to the schools all month to confirm all the data to make certain that everything matches.

Now there is a school, for example, that does have a database. They can actually draw out the student names and attach it so I can reconfirm. There’s another school that has that. But there are very few.

Q. Okay. Part C of that question. When you reconfirm that there’s an inconsistency, who’s responsible to make changes or all of it funnels through you or is there a process for the update?

A. Currently it all funnels through me.

Q. All right. So you’re the only one that make changes to the ...

A. Currently it all goes through me. No updates are made without my approval, and then it’s reconfirmed every three months.

I go out to the schools, individual schools.

Q. Uh-huh.

A. And reconfirm that data to make sure that it all matches.

Q. Thank you.

A. You know why I want a system?

(Laughter)

Q. I just want to clarify something else.

Is there expectations that the vendors who do the manual conversion as well as the automated conversion.
So that there would be some that, the only data entry people to get the data because it’s not in our format. It’s on a data format and that could be eliminated any way and in the pedia.

A. Yes.
Q. Or it’s in a Word document.
A. Word.

FEMALE VOICE:
Okay. Thank you.

Q. Can I just go off on that question, one second. So are you going to provide standards that have to be met in terms of like a data standard and a date file, but are you willing to accept that the past solution requires a different format. Last name, comma, first name, et cetera, whatever it is.

Are you going to accept a change like that?

MS. PERLMAN:
I’m not going to customize the cost solution. So whatever the cost solution requires us to do we’re going to figure it out. But I’m not making changes to a cost solution.

I mean that’s another thing, because remember, I have to maintain this thing. I want any customization at a minimum, if at all any customization. See really these solutions should be giving you configuration options. When the configuration options are done, you should be fine. But don’t go changing that code. That’s just going to be a mess in the long run. With no upgrade.

Q. I’m going to (inaudible) question. So part of the fixed cost nature with liquidated damages relates to the customization to meet JSE business and functional requirements.

So you’re really talking configurations, one, that really ... And that is part of the fixed costs. Will there be any more specificity around some of those?

You talked about performance with UAT test scripts. Will there be any more specificity around those, you know, if there’s 101 transcript types, is there only one way is to measure attendance and all the LEA’s are different.

Is there a — will there be a little more specificity with as part of this, an addendum or anything, or do we just project potential set of configurations, if you will. Was there any documentation available to help with that?

MR. KENNEY:
Let me refer to one of the requirements here in answering that question. It’s 2.5.1.12 and you know, we’ve given you all 97 report templates.

You can see what is needed to operate the JSE business environment. That’s currently what they’re using, it’s effective. Trish manages it. You know, it’s helped us give you very detailed requirements.

But in that requirement where we put -- the contractor may propose consolidation of reports as long as MSDE has access to all the information in these reports.

So we’re looking for your best recommendation on how we manage that data within the SIS. So we’re not defining standards up front.

We’re looking to you as experts to come back at us after you’ve analyzed these reports and say, hey we can merge some of this data or we can consolidate some of this reporting. And we still review access to all the information.

A. (inaudible) bottom line.
Q. Okay. Okay. And for 1(b) as it
relates to Phase 2, the integrations, as part of the fixed costs, again, you know, different LEA’s would be implementing the costs different ways and what have you. The burden will be on us to conform that data for the requirements with you all into the particular LEA’s requirements for a...

MS. ALVEY:
That’s not my plan. My plan would be to give it in its standard format and let them figure it out.

Q. And then so the burden will be on that vendor, that LEA community to adapt to whatever data ...
A. Right.
Q. Okay. That’s fine. Thank you.

MR. KENNEY:
And it’s worth noting that all of the LEA’s currently day-to-day have this interoperability where they can send files back and forth. We’re just looking to replicate that functionality with the JSE system. And I don’t know what that format is.

A. That was what we didn’t know, is that standard format. But I’m sure it is. Again...
Q. Okay. This is one that they can both do.

MR. KENNEY:
Yeah, so basically I’m looking at it that they’re already doing that across the state and that we would leverage whatever solution that they’re currently using to other LEA’s within the state.

Q. Thank you.

MS. RICHBURG:
Amber?

MS. SCHAD:
Amber Schad, Gantech. No questions.

MS. RICHBURG:
Okay.

MR. KWISTOWICZ:
Keith Kwistowicz, DK Consulting. No questions.

MS. LEPIC:
Lisa Lepic from Pearson. I have a question just about the data validation. I think that that was argued just a little bit. So I assume, so the student files or however we get the students all have the staff? Is that, do they have to validate that against USIS or anything to make sure that staff is correct or

MR. KENNEY:
No, that’s outside the scope for this.

Q. Okay.

MR. KENNEY:
We already have, as you know, we already have a process in system to do that.

Q. Okay.

MS. RICHBURG:
Brian?

MR. ZERNHOLT:
Brian Zernholt, Software Consortium. No questions.

MS. RICHBURG:
Nandita
MS. Gududuri:
No questions at this time. Thank you.

MS. RICHBURG:
Next. Sir?

MR. CUSACK:
Bob Cusack, Custom Software Systems. Is there a particular target architecture database that you would go to to seek a server? Oracle?

MR. KENNEY:
You know, we have the specs or the information for the server that we have. It’s in the procurement document. I can’t locate it but we have it listed there but we don’t have the specs.

MS. PERLMAN:
I will tell you that it could be a SQL server or Oracle but don’t, it could be in another database. We are mostly a dot net shop here, but I realize we’re buying a package.
But if we do build any customization around it, I would like it to adhere to standards, which is mostly, we’re going to be doing more of SharePoint dot net, that kind of typical stuff.
I don’t want this thing over-engineered, because of managing a lot of hardware. We are a virtual server environment, so we can actually handle that as well.
As I mentioned, OSIS solutions are very nice. It takes a lot of heat off of managing a ton of data.

MS. JUDD:
Robin Judd, no questions.

Q. You mentioned about the, that there’s a student identifier or a unique ID. Is that across the different areas of the LEA’s or is it separate from each other?
A. State. It’s unique in the state.
Q. Unique in the state. And is that maintained here or is it maintained in the actual data bases?
A. The way it works is the infor — well, first of all these students will be coming in with their assessment because they’ve already been students in LEA’s. So they come in via that mechanism.
But there is a validation process that happens here at MSDE where the number gets assigned and then the LEA use it and then, when we cross data on a constant basis it’s validation that goes on here. But I believe these students mostly come from out of state.
Q. They all?
MS. PERLMAN:
They all have it.

MS. ALVEY:
They all have it. If they come from out of state, then we’ll figure out a way to define them.
They will appear to Juvenile Services.
Then we’ll assign one here at MSDE and that’s what they’ll actually use.
Q. Okay. Thank you.

MS. RICHBURG:
Okay. The two people who came in. We’re having our question and answer period.

Good morning.

MALE VOICE:
Good morning.
MS. RICHBURG:
Could you please introduce yourselves and ask any, we’re just asking one question as we’re going around.

MR. PHILLIPS:
Scott Phillips with Precision Task Group and

MS. PHILLIPS:
Erin Phillips, Precision Task Group.

MR. PHILLIPS:
I have one question. You were talking about hosted systems. If you’re looking at a software service, are there any particular security-related requirements for standards that would have to be considered?

MS. PERLMAN:
There’s nothing particular at this time because the state is really focusing on developing their cyber security standards.

The only thing that we are doing with some of our solutions is working on active directory federated services so that we can validate the teacher, because that’s actually who would be accessing the system.

So I would think that your most important requirement would be to have the ability. Now that might come later, whereas we just assign ID’s and log ins but a hosted solution has a pass what they call Soc 2, Type 2 testing, which is pretty standard.

Don’t ask me what it is, but I know that our auditors like it and it is the equivalent of like a SAS 70 which is you have to validate that you comply with whatever is in that Soc 2, Type 2 audit.

And actually on a yearly basis probably perform that audit.

MS. RICHBURG:
Go ahead, sir. Go ahead.

Q. I do have another question about the training, because you guys, what I heard was a relatively small...

A. This is not a followup to this, is it?

Q. It is not.

MS. RICHBURG:
Let me ask you something. What company are you with again?

MR. PHILLIPS: Precision Task. Okay. Thank you. Tracy?

MR. BARNES:
Tracy Barnes, ENTAP. No questions.

MS. RICHBURG:
Ken?

MR. MATTOLA:
Yes, Ken Mattola from Software Consortium. On page 24 of the RFP, question 2.9 Minimum Qualifications.

MS. RICHBURG:
I’m sorry. Give me the, the number. This selection between 9. Okay. It’s on the pages.

MR. MATTOLA:
Q. It references the Master Contractor shall demonstrate in its proposal the following expertise. Should that be a combination between the Master Contractor and the sub contractor.
A. No, we want it just for the Master Contractor.
Q. Okay.
MS. RICHBURG:
Okay.
Q. Just as a follow-up. Can that include the ownership or the partner’s experience or it has to be the experience of the organization?
MS. RICHBURG:
Well, the owners or the partners, you make up the Company.
Q. Right. But if the experience of the individuals are 15, 20 years and the Company has only been in existence for ...
MS. RICHBURG:
Right.
Q. But the qualifications are there with new people.
A. No, we need it for the Company. But I’m just saying that’s a good point. But we wanted the Company.
Q. Company. Okay. Thank you much.
A. You’re welcome. Did that answer your question too. Yes, sir.
Q. Just a followup on what that gentleman said regarding Soc 2. I don’t think that the equipment data addressed there’s a requirement of Soc 2, whether it’s kind of the way the industry’s going. Is that something that you would require for this?
A. The Soc 2, Type 2 focus on data in motion?
Q. Yes.
A. Motion. Well data en masse, I mean really it should be only be able to accessed by the people that have security access, so I think your COTS solution is somehow offering that sort of validation, that the security models work within it, so.
Q. Well, I mean ...
A. Okay. At rest, being equipped at rest?
Q. Yes.
A. See, I would think that Soc 2, Type 2 would actually mean more about penetrations of testing, right?
Q. Yes, it is.
A. Okay.
Q. Okay.
A. That’s not even required, actually, so if that’s your definition, then I would say data addressed is.
Q. Well, my question is, we’d like to put together a proposal that also protects data addressed.
A. Okay.
Q. And is that something that, I mean there would be an added cost to that, but is it something that you would consider?
A. If it’s not a requirement...
Q. That was not one of the requirements so I list that as an option.
MS. R: Yeah, it’s an option. Don’t include in your total cost. It becomes more of an issue for a hosted solution rather than an in-house, you know, a solution that’s installed in-house.
Q. Gotcha.
A. Okay.
MS. RICHBURG: Randy, we’re back to you.
MALE VOICE? Still nothing.
MS. RICHBURG: Still nothing? Great! Okay. Phil?
MR. RHYM: In any of the roles that you proposed, there’s a role that’s security and data specialist.
MS. RICHBURG: What number is that, 2 point what?
Okay. I see what it is, 2.8. Okay.
MR. RHYM: What does that entail?
MS. RICHBURG: It’s data base management. It says security data specialist.
MR. RHYM: That’s just system security for the web application. I didn’t have a whole lot of details behind it, but you know we’re going to have this thin client application that we needed to make secure for all users. So as far as that, I think it would be establishing the role base user access ...
A. So we don’t have a lot of cyber security specialists in-house. And so, actually we have none.
And so the whole idea is for this person, especially with the sensitivity of this data and the fact that a lot of the data that we have here is not exposed to the outside, but we honestly worry about the sensitivity and the way this does, because it’s being used in those 14 facilities, right, so security becomes even greater. And so this person would probably have to come up with, you know, help us with policies and procedures as well, because this is a little bit of a different animal. It’s very sensitive information.
Q. I understand.
A. And also, I’ll make one correction.
CATS+, they do not have labor category numbers. So I’ll remove those. CATS+ is no numbers identifying their own labor categories. Okay.
VOICE: Are we waiting on a question?
Q. I didn’t want to interrupt you. Okay.
My question is a little bit involving security. From access control and the assignment of roles and to help us. So right now Trish is the primary responsible party for access.
Will that still rest with you and will you manage and own access control from a security standpoint of who you authorize to ...
MS. RICHBURG: It will be Beth.
MR. KENNEY:
Yeah, it would be the director of that part.

MS. RICHBURG:
Okay.

MS. ALVEY:
They won’t reside in Juvenile Services as a function in detail management.

Q. Thank you.

MS. ALVEY:
And I’ll be working in collaboration with Beth and defining roles of functions. But Beth, but yes, if I’m still employed, I will be the person.

MS. RICHBURG:
Thank you. Don?

MR. GAUGER:
Yes. Item 2.5.2.10. It says COTS SIS shall provide messaging capability using the web interface is a technical requirement. I just wanted to understand a little more because the messaging capability like a notification capability or, I mean I just want to make sure...

A. We need email. To be able to shoot off an email.

Q. Yeah. So any user can shoot off an email or create a notify to multiple groups, or is it like a notification type capability? Is that I mean I just want to make sure.

A. As far as this requirement, I got this from a Gartner study.

Q. Okay.

A. That they compared all the COTS SIS’s, so I don’t have a whole lot of definition for this other than this was a generic requirement that was listed that is supported by all the COTS SIS’s.

Q. So you’re talking about like, you know, if you reach some certain conditions, let me get some email or you can set up those rules maybe for notifications like the automated notify type things for grades and...

A. Yeah.

Q. Okay. Okay.

A. Require individuals.

Q. Yeah, okay. I got it. Thank you.

MS. RICHBURG:

Q. Haven’t got a thing.

MS. RICHBURG:
Okay. And Gena?

MS. FORD:
Do you have any current document management system?

MR. KENNEY:
That’s called Trish Alvey right now.

MS. PERLMAN:
We are looking into going to SharePoint. I mean this is all sort of new. We’re looking at using Office 365, SharePoint files. Because again, I don’t really want a host to get this idea that I don’t really want to host a lot of stuff.
And so that would probably be our document management.

Q. The labor categories as listed and it ducktails a little bit with the previous question and part of CATS+ contract, those individuals need to be part of the prime contractor, correct? Or?

MS. RICHBURG:
    Do we need to be part of —
Q. The W-2’s of the prime contractor. As opposed to —
A. Give me a minute. A W-9?
Q. Somebody just providing the...
A. A 1099, thank you.
Q. Or is it subcontracted? So the subcontractor in this case, many cases is probably the suspender, can they be allowed to provide those labor categories?

MS. RICHBURG:
    Yes.
Q. They can.
MS. RICHBURG:
    Yes, they can.
MS. ALVEY:
    Yes.
Q. Okay. All right.
MS. RICHBURG:
    But you’re going to be, the prime will be responsible for what the sub —
Q. Yeah.
MS. RICHBURG:
    Because that is an MBE goal. You may want to satisfy with that.
Q. Okay. I’m going to ask a maybe little bit unusual question. You referred to Gartner. I’m familiar with it. Are those the real focus suspenders that you are really looking at or are you, I mean there’s other, many other vendors beyond that too.

MR. KENNEY:
    You know, that was just a starting point for me. Because I’ve never been involved in an SIS procurement, and I figured the best way to approach this is just leverage information that’s out there.

Q. Okay.
MR. KENNEY:
    So any of the non-JSE specific requirements are leveraged from the Gartner evaluations of current SIS.
MS. PERLMAN:
    Am I allowed to ask a question?
MS. RICHBURG:
    Yes.
MR. KENNEY:
    Absolutely.
MS. PERLMAN:
    The reason I’m asking, I know some of you are more systems integrators and some of you are actually vendors. So the ones that are systems integrators, are you going to work with a vendor to make a selection to be able to make this in the proposal.
Because you’re proposing it as CSI, I’m assuming. Is that a correct statement from some of you SI’s. Because I don’t have everything from Pearson to, you know, like I said the vendors, so okay.

MS. RICHBURG:
Maybe.

MS. PERLMAN:
No, the reason why I’m asking is, is that why you’re asking about the magic quadrant —

MR. KENNEY:
The clarification as part of the project is it an evaluation process or are we going to come in as a natural team already ...

MS. PERLMAN:
Well, I don’t want to pay for an evaluation so Ms. — you were going to make in a proposal. The reason I’m asking is, because your question led me down that path, which is if you’re looking at the Gartner magic quadrant to be able to figure out who you were going to supply as the COTS solution, I was wondering if that’s where you were coming from.

MR. KENNEY:
There’s partnerships formed, I’m sure, but that was the —

MS. PERLMAN:
Okay. That’s what I was wondering. Like I said, I was wondering. So as I say, like you said, not everybody’s listed there in the Gartner study and if you have another solution that, I mean, we don’t own a subscription to Gartner, so I am not going to Gartner to actually look and say, okay, who’s the top-rated vendor and they all have price tags associated with them and you know, it’s a trade-off, so.

MS. RICHBURG:
They’re under, I saw Tracy’s hand.

MR. KENNEY:
Go ahead. Go ahead.

MS. RICHBURG:
Okay?

MR. BARNES:
No, that was my question, is do you have a preference for people in the, companies in the Gartner magic...

MR. KENNEY:
No.

MS. RICHBURG:
I think we can go... that’s why I said it.

MR. KENNEY:
So we have no preferences. Whoever can meet the requirements and the deliverables the best, as the best tool cost.

MS. ALVEY:
I would also tell you that if you do not have that in mind already, look at who we use across the state. Because there are a few that are predominant in the state. We don’t have one, but there are a few that are predominant in the state.

MR. KENNEY:
And I’ve listed that in the procurement document as well. You can see a number of students, percentages, what systems are using and what counties.
So that gives you some insight into what are the favored systems within the state. But we have no preference. I can’t stress that enough. We’re looking for the best solution.

In fact, how I’ve presented this to some of the stakeholders that I say we’re not purchasing COTS SIS. We’re procuring the services of a vendor to deliver that solution.

So we want to evaluate any and all solutions that best fit the needs of JSE.

MS. RICHBURG:
Nandita, did I see your hand up?

FEMALE VOICE:
Yes. Hearing all these questions that raised one additional question in my mind regarding Section 2.9 on the contract of evaluation. I know somebody else is going to take in your response. But that totally contradicted you know, what I’m hearing here.

The teams could be formed depending on, you know, this solution. They want to sort of customize for the state. So then the minimum qualifications would be that of the combined team. Is that —

MS. RICHBURG:
The minimum qualifications would be that of the Master Contractor.

FEMALE VOICE:
Right. So then Section 2.9 says Master Contractor shall demonstrate or have postured strategic alliance. So I just want to be clear that you know, it is a team effort that would be evaluated.

MS. RICHBURG:
The team would be evaluated but the Master Contractor is the one who we’re holding to these minimal qualifications. The whole team will be evaluated because the Master Contractor’s put it together.

But I’m going to evaluate, I’m just going to use Pearson, No, I’m going to use AP Ventures, since you asked the question. AP Ventures, I’m going to be looking to see if you have the five years in educational or government environment.

Not that you cannot merge with AP Software Consortium, DK Consultants. I’m not looking at them also, but I’m looking have you done the work for the five years.

FEMALE VOICE:
Okay.

MS. RICHBURG:
Am I making that clear? Okay. Oh, I see all the hands coming up. Ryan?

MR. ATHRETA:
See that is not consistent with your evaluation criteria and also your requirements –

MS. RICHBURG:
Well, we’re going to make sure it is. That’s why I’m clarifying it, okay.

MR. ATHRETA:
No. You have failed to report the 30 percent MBE goal.

MS. RICHBURG:
Yes.

MR. ATHRETA:
If I bring in an MBE to meet that goal, the MBE has got prior qualifications and education. Obviously that is part of the team. Because I need to meet their MBE goal, I may use MBE’s services opposed to my own. So do I just lose my qualifications?

MS. RICHBURG:
Well, that’s fine. You can use that MBE. But you still have to have that. Because I’m holding you the Prime responsible.

Q. How you going to evaluate the person who has that?

MS. RICHBURG:
You have to have this experience. I don’t want you to take what Robert has or Amber or Gena has. I mean they’re going to be part of your team and going to help you, but Rayan is going to have to have that knowledge and education and experience. And knowhow.

FEMALE VOICE:
The Master Contractor must have five years.

MS. RICHBURG:
Yes, you must have that five years experience.

FEMALE VOICE:
If we don’t have five years of experience, we will become the subcontractor and ...

MS. RICHBURG:
That’s right. You got it.

Q. I just wanted to clarify. Two different things, right. You got minimum qualifications and then you got evaluation criteria.

A. Uh-huh.

Q. Minimum qualification says I’ve got to meet the same ...

MS. RICHBURG:
That’s right.

Q. Evaluation criteria.

MS. RICHBURG:
Thank you. Yes. Okay. Rob, you had your hand up too. Did you care to say something?

MR. BOWELL:
No, I won’t say it.

MS. RICHBURG:
Oh, you can say it. Don?

MR. GAUGER:
This is a technical question for her.

MS. RICHBURG:
Well, do we have anything else that’s ...

MR. GAUGER:
Yes. We’re working with qualifications?

MS. RICHBURG:
Yes.

MR. GAUGER:
So we’re systems integrators.

MS. RICHBURG:
Uh-huh.

MR. GAUGER:
You know, and I want to make sure that, so if someone that’s a W-240 of the company. A CIO for K-12 school district. That’s actually larger than what you have here. And they implemented SIS systems. Does that actually count for your qualifications?

Or does it have to be the Company?

MS. RICHBURG:
The Company. That would be a plus to have that CIO who has had that number of years in K-12. But you still have to have that five years.

Q. So the Company has to —

MS. RICHBURG:
   The Company.

Q. — take on that project like that?

MS. RICHBURG:
   Yes, sir.

Q. Because you will evaluate positively.

MS. RICHBURG:
   Yes.

Q. With that number.

MS. RICHBURG:
   That would, that can break the tie.

Q. For individual role in the —

MS. RICHBURG:
   Yes. That can bring that company higher.

Q. ... qualification?

MS. RICHBURG:
   Yes. Because he can say, oh, they have someone who’s a CIO who has had 12 years experience, they’ve done that, as opposed to someone who may have had two years.

MR. GAUGER:
   Clearly they would be disqualified initially because the corporation does not have five years experience.

MS. RICHBURG:
   That’s right. And they don’t have it. That’s right. That’s a question, yes. Okay. Well, let’s get to your question.

Q. You mentioned your desire for hosted solutions.

MS. RICHBURG:
   If there is such a, I don’t even know.

Q. No, no, there is. So real quick question. Cloud, PrimaCloud, Dedicated.

A. So where people look at OSIS solutions
   I think they call it Cloud. Again, I don’t know what the cyber requirements are so I’m not sure that real Cloud is...

Q. Same vendor, yeah, to your.

A. You said PrimaCloud as long as, in other words, it’s a virtual environment that you control everything called Vine.

Q. Well, it’s just a Cloud environment
   that’s contained, that’s in a public Cloud. There’s private Clouds and then there’s...

A. So all within the hosted.

Q. It’s contained.

A. It’s contained, as long as it’s within the control and I, you know, within the control of the hosting vendor, that’s fine.

   Told her I have a private Cloud because I have a lot of virtualization and I have a data center for DPSCS, so when I call it’s all within my control.
Q. Okay.
A. So it’s a Private Cloud.
Q. Okay.
FEMALE VOICE: So, yeah. What we’ve done, is I think what was hosted by, I don’t know that we’ve actually ask that they’re Private Clouds, but I don’t think real true Cloud computing, that’s a little aggressive for a state agency, I think, at this point.
MALE VOICE: Okay.
FEMALE VOICE: I think they just don’t understand.
MALE VOICE: Okay.
MS. RICHBURG: Yes, Lisa?
MS. LEPIC: This is actually in reference to 2.5.2.13 on page 17 of the RFP. And I know that this was the Phase 2 and you don’t have to define. The requirements typically define but I just have a question about this system and the data.
MS. RICHBURG: 2.4.5.2.13?
Q. Yes, about the inter operability with the LEA. Are the students in this system, are they part, do they have a home LEA? Are they part of an LEA too?
MALE VOICE: Yes.
Q. Okay. So I assume, because it’s not just when you transfer students in and out of the system. You have to transfer data to the LEA’s.
A. They do have a home.
Q. It’s consistent, constant because they want the home LEA needs to keep track of the students, okay.
A. Right.
Q. I thought so.
A. Theoretically, they come home to a ...
Q. That’s what I was just about to say.
Until they move or relocate, then, you know, that’s why that unique identifier is so critical to us because it follows that student and we’re able to...
A. Keep transfers but then also deliver the data to the home LEA.
MS. ALVEY: It that interface is created, you should be able to do it at any time.
MS. RICHBURG: Okay. I’m just going to open it. I have hands raised now, so I see we’re going.
Okay.
Q. One question. We reviewed this stuff.
Since you have June now and then you have the LEA’s and we have stuff, then there’s the Special Ed, you know, where they’re sending them off to Special Ed. How are you dealing or do you not do that as part of this? Do you know what I’m getting at? Because someone —

MS. ALVEY:

All our Special Education comes from our Education Data Warehouse which is not updated all the time and then Special Ed gets a piece of it. So —

Q. But when they send a student from an LEA to the Special Ed, then they leave and you know, it goes there. And sometimes they go to Juvenile. You know what I’m getting at. It’s just that movement.

MS. ALVEY:

When you say they send them to Special Ed, what do you mean?

Q. They send them to another school, the Special Ed out of the LEA but then can transfer back. I’m just wondering how, is that not, that’s not considered in this proposal here. It’s just with the LEA.

MS. ALVEY:

No, because those connections in Special Ed are already established through the LEA so that’s how it would go.

Q. Okay.

MS. ALVEY:

If a student is identified in the LEA, but they’re Special Ed requirements, you know. I’m just wondering how you deal with Special Ed?

MS. ALVEY:

The student go along with the LEA.

Q. They still are. It’s the same thing as Special Ed, then. That’s what I’m giving you. In other words, you’re just like the, just like Special Ed. We were handing it off as Special Ed.

Q. Sort of a whole milieu, right?

A. Got it. Okay.

MS. ALVEY:

Right.

MS. RICHBURG:

I saw the lady who was sitting next to you. Would that be your hand?

FEMALE VOICE:

Yes.

Q. I’m just asking 2.6.2.5 where you got this training. In your last question on the level of training and are you relying on site training in all 14 locations?

A. We’re looking for training to be conducted here in Baltimore for the Headquarters Staff. Then probably a combination of webinar training after that with some hard copy manuals. And we’re not really, not really identifying the number of hours required. Just, I mean we’re looking to your experience as far as training people on new systems, what you want to propose. What do you think is necessary for the new users to learn these systems.

So I don’t have any hours defined. The only thing that’s really defined is the number of manuals that we’d like.
Q. That training is local here in Baltimore and then for the other site it would be webinar based?
A. Yes.
Q. You mentioned about the number of students being 800. How many students limit scaled to a maximum, you know, just an idea if there is (inaudible) in the next few years.
A. Say that again.
Q. The current number of students is 800?
A. 800 to 1,000.
Q. 800 to 1,000. How many students do you anticipate for the scale, do you think that number will remain the same in the next five years, also 10 years or —
A. As I stated earlier, we have a finite amount of space at each school, so we know the definition of how many students we can serve.
Q. All right.
A. And if we expand, you know and there were another school, I mean I’m being honest with you, designed by the legislators to do something different, then certainly we would be expanding but at this juncture, you know we have the 14 schools and each school serves a different amount of students at that school.
Q. I need to go maybe, let me go where I think you’re going is, the software is usually licensed by the number of students, correct? That has the licensing models for student information systems. Am I correct in my assumption?
A. We can only have 800 to 1,000 concurrently, but the population can be bigger than that in students that in any one year come through the school system.
Q. That’s one. And part of the legacy they are from 2010 to present, how many students do you like, non-active students maybe ... Do you have a number?
MR. KENNEY:
We don’t know. We’ll have to get back to you on that. That’s a good question. But going back to the initial question and I have active underlined in the TORFP.
It’s 800 to 1,000 because that’s constrained with the capacity for the schools. You know, they can’t serve any more than that right now unless they build more schools. And I think Beth Hart said that it could be two to three thousand unique students coming through.
Q. Immediately?
A. It’s a possibility. And we don’t know
for sure because we have students who are constantly, they come back and they go in and out, you
know. They may leave, for example, the Hickey School, they may go home and then two months
later I see the student name, and he’s there. Now.

So he might not even be going back to that same school where there’s a certain
capacity. He may be going to another school, you know. So we see the cycling all the time.

Q. How many years of data
A. Do you have that? We have it there and
we’ll process it.

FEMALE VOICE:
I actually think, again, the information is back to the LEA. Are they the rightful
owner of the information.

MR. KENNEY:
We have one requirement where if the student is in the JSE SIS, we’re going to keep
that information till they’re 22 years of age?
A. Right.

FEMALE VOICE:
Must be junior high.
A. It could be from fortunately, 11 years
old, I think.

FEMALE VOICE:
So 11 years would be the worst case, we think, you know. But generally speaking,
just like it’s middle school, late middle school.

FEMALE VOICE:
I was taking notes. This is the answer. When the system starts, do we need to
import previous data into the system and how many years of data?

MR. KENNEY:
Yes.
A. From 2010 on.

MR. KENNEY:
July 1, 2010.

MS. ALVEY:
Remember, not everything is in a format that could be converted.

MS. RICHBURG:
I saw, I think it is Scott? I saw and then I saw Arayan.

MR. PHILLIPS:
Forgive me because I may not ask this
question quite right.

MS. RICHBURG:
That’s okay.

Q. The set of providers to the various
LEA’s and we’ve provided some data here for that information. Which home-based LEA system is
most prevalent?

In other words, where are you getting most of your, are you getting most of your
individuals coming through the Juvenile Services, how does that relate to the COTS packages that
may already be in?
A. I don’t think we have the level of
detail that you’re asking but we do have the SIS’s used by LEA. But what you’re asking is whose students coming to JSE, you know, what LEA’s are coming from, right?

A. The problems.
Q. Yeah, we don’t have that listed but we could certainly research it.
A. I’m sure we have that.

MR. KENNEY:
Yeah, I can say anecdotally in some of the planning meetings, they’ve said it’s Baltimore County and Prince George’s County are the highest population of JSE students as far as home LEA. But we haven’t drilled down to that level.

MS. ALVEY:
I’m sure you can ask Beth. She probably knows at least ...
Q. Since we talked about licensing before, consistency purpose, is there a number of concurrent uses, a number of students we can assume, they’re doing that you can just put in so that everybody is addressing the licensing based on the number of uses that they’re looking for.
A. I think we said earlier, about 50 concurrent users, ... but up to 200 people would be actually users, but maybe 50 concurrent.
Q. All right.
A. It’s not a high-volume system and you know, so let’s, the worst cases you have to keep 11 years of history, let’s say?

MS. ALVEY:
No. Let’s say you have to keep 8 years of history on people times say maybe 3,000 students coming through. So I mean I’m just doing a bad example of calculation but maybe 240,000 students of history. But again, it’s not a lot of information.

MS. RICHBURG:
Yes, sir?
Q. Do you see a need for being able to access the data from a mobile platform, a phone or a tablet or something?

MR. KENNEY:
We have that provision because most of the state employees, especially directors have Blackberries.

MS. ALVEY:
I also get a Blackberry. I would not say a phone, but you really should have a design that probably could be seen on a tablet, but I’m also okay with it just being in a web browser and accessible like so whatever, it’s Safari or Chrome or whatever, as long as you can access it from a tablet. You do not need to write an app.

MS. RICHBURG:
Next question. Yes?
Q. Dorothy, I have a question, on page 28 of the RFP.

MS. PERLMAN:
Can you give me a section, because I’m off 8...
Q. It’s on Section C, Proposed Personnel.
MS. PERLMAN:
Okay. That’s 3 point what? What’s the number, 3 point — Okay. I see it here.

3.2.1(c)?
Q. Yes. Proposed Personnel Section.
MS. PERLMAN:
Uh-huh.
Q. It says identify and provide resumes
for all proposed personnel.
MS. RICHBURG:
I know what you’re going to say. Go ahead.
Q. I just want a clarification on that.
If the personnel is proposed in the proposal, will they need to be available and ready to work when the notice to proceed is given to the contractor?
MS. RICHBURG:
At least the major ones, like the Project Manager, but I can’t say all of this because it depends upon what the work would entail.
MS. PERLMAN:
So it’s really a specialist versus a
generalist and they have to be available, so a specialist being the person that’s worked on integration with that particular vendor or, you know, but if it’s just somebody that’s going to come in and help with QA testing and has the concept, that might not be as important. So I would say more what I would call your more senior members of the team.
Q. Would it be possible to identify your key personnel requirements?
MS. RICHBURG:
You mean your key personnel.
Q. Key personnel is in Day One they will
show up as opposed to ...
MS. RICHBURG:
Okay. Yes.
Q. Okay. Yes, ma’am. Thank you.
MS. RICHBURG:
Yes, sir?
Q. On that note, one of the challenges I would suggest is, depending upon how long it takes to do the review, often those individuals may not be available.
MS. RICHBURG:
May not be available.
Q. So you’d have a provision for substituting within a 30-day period. Or some type of provision that says we can provide you.
MS. RICHBURG:
This is why we hold it. So evaluating the Master Contractors. Because we know sometimes personnel is not available at that time. We’re flexible.
MS. RICHBURG:
Okay. Let’s say we give you flexibility up until the time we’re going ...and then you have to lock it in. Yes, and we know during the course of the contract, personnel may switch. You may not even be with that Company but, so we understand that.
But let’s hope at least because when we evaluate, we’re going to be evaluating you on that basis, the key personnel that we’ll identify. Okay. Yes, sir?
Q. I have a, you listed a set of labor
categories or job classifications, if you will.

MS. RICHBURG:
Right.

Q. I’m not quite sure how large this
ultimately would be, so you kind of figured that out. But there are many individuals who fulfilled
multiple roles.

Is that, do you anticipate you got a one-for-one or at the end of the day as long as we
fill the requirements we’ll get.

MS. RICHBURG:
That’s not one-to-one because they have to be crossed out. Okay. Well the first part
is priced by deliverables so we won’t even...

Q. You could decide you want to use every
portal.

MS. RICHBURG:
Every portal you have. But then the work order --

Q. Yeah. See that’s more for the task
workers who are --

MS. RICHBURG:
Yes.

Q. Okay. So for the initial scope that’s
defined, the deliverables in 1B, we’re just looking for the deliverables, not so much the labor.

MS. RICHBURG:
That’s the same as would be with the key personnel. When you do those
deliverables, we’re not going to know who they are, so is there another question. Questions?

Now, I guess everybody wants to get out of here today, go down to the Harbor and
walk around, nice day. Okay. As I stated, I would like to have these minutes out to you by next
Friday. Don’t hold me to it. I would like to have them out.

I’m going to ask if you have any additional questions, please feel free to email them
to me. I would like to have an email by Tuesday, October the 1st, say by 2:00 p.m. Eastern Time, if
I can have it. However, if you email your question on October 16th before the proposals are due,
you know, I’ll still answer it.

But if I can get as many questions prior to the minutes going out, then everyone will
have those questions now and will be able to, and it may help you with your proposal.

We did get a few questions prior to the Pre-Proposal Conference. I don’t know if that
Company is here. You can ask them now. If not, it will be submitted with the written minutes.

Yes, sir.

Q. Question. You passed a list around for
attending.

MS. RICHBURG:
Yes.

Q. Will that list be --

MS. RICHBURG:
Included?

Q. Included in the minutes?

MS. RICHBURG:
Yes, it will be. Yes, it will be.
Q. And the second piece, would this RFP require both, certain MBE goals.

MS. RICHBURG:
Yes, sir.

Q. Specified by category?

MS. RICHBURG:
Yes, that’s correct.

Q. Will that also be included for those persons who are here?

MS. RICHBURG:
Well, that information, everyone here has an information summary that was right over here. And I can read that out.

Q. No, no, no. That’s not what I said. I’m saying do we know who those other firms are that actually fit in those three categories?

MS. RICHBURG:
Now, we have checked off whether you’re an MBE or —

Q. But not the category?

MS. RICHBURG:
No, you can either look that up. You can go to the MDOT website and that will give you that information.

MDOT has the MBE directory. The sign-in sheet is back here, please make sure you sign.

Now we have this room until 12 o’clock, so you’re free to stay here and network, talk to one another, you’re welcome to stay as long as no one else comes in at 12, you can stay a little while longer.

I appreciate everyone coming out this morning and I still say please feel free to email me any questions you may have and we’ll get an answer to you.

Have a safe trip back to your destination and a good weekend. Go Ravens! Go Ravens!

(Whereupon, the Pre-Proposal Conference was concluded.)
The following questions were received prior to the Pre-Proposal Conference:

Current State, SIS Preferences

1. What SIS is in place for each of the 14 JSEs at this time? For each location, roughly how many active students does that location’s current SIS support?

   *A legacy custom SIS is available at five JSE locations, but it is not currently utilized.*

   **JSE School Facility** | **Total # of Students Served in FY13**
   --- | ---
   1. Charles H. Hickey Jr. School (Parkville, Baltimore County) | 617
   2. Baltimore City Juvenile Justice Center (Baltimore City) | 1,611
   3. Lower Eastern Shore Children’s Center (Salisbury, Wicomico County) | 416
   4. J. DeWeese Carter Center ( Chestertown, Kent County) | 36
   5. Victor Cullen Center (Sabillasville, Frederick County) | 158
   6. Western Maryland Children’s Center ( Hagerstown, Washington County) | 303
   7. Cheltenham Youth Center (Cheltenham, Prince George’s County) | 1,811
   8. Thomas J. S. Waxter Center (Laurel, Prince George’s County) | 416
   9. William Donald Schaefer House (Baltimore City) | 47
   10. Alfred T. Noyes Center (Rockville, Montgomery County) | 279
   11. Backbone Mountain Youth Center ( Swanton, Garrett County) | newly assumed in FY14
   12. Savage Mountain Youth Center (Lanaconing, Garrett County) | newly assumed in FY14
   13. Meadow Mountain Youth Center ( Grantsville, Garrett County) | newly assumed in FY14
   14. Green Ridge Youth Center (Flintstone, Alleghany County) | newly assumed in FY14

   **TOTAL** | **5,694** *

   *This total is calculated based on the number of students entering and exiting each school every month throughout FY13 July 1, 2012 – June 30, 2013. However, the average population of total students at all of the JSE schools ranges 800-1,000.*

2. Is there one or more preferred SIS of interest that MSDE has identified?

   **No.**

3. Is there an incumbent SIS vendor at the MSDE level? Who is that vendor and will that vendor be bidding on this RFP?

   **No, N/A.**
4. Does MSDE have a preference in regards to the database and/or web server used in the proposed SIS solution?

*The system architecture shall utilize MSDE owned and hosted centralized application and storage servers based at MSDE in Baltimore - two Dell PowerEdge R720 (225-2133) and one Dell PowerEdge R420 (225-2987) servers, supporting thin client web access at the JSE headquarters and the 14 remote school facilities. All equipment to host the SIS is out of scope for this TORFP. However, the Master Contractor shall propose a software configuration that will support the current and anticipated needs of the system (See server specifications detailed in “Server Info 1 of 2” and “Server Info 2 of 2”).*

*During the vendor pre-proposal conference, the MSDE CIO, Beth Perlman, has requested an additional proposal for a vendor hosted solution, as an option to the MSDE hosted solution.*

5. What is the feeling of MSDE in regards to customized open source solutions?

*MSDE is open to all solutions that meet the JSE system requirements & deliverables described in Sections 2.5 and 2.6.*

6. If there's a system in place at the MSDE level that is currently loading exports from the JSE Sis, what data set is being provided? (For example, a longitudinal data system or data warehouse is receiving a STANDARD DEMOGRAPHIC STRING (per pg 65 of the TORFP) from all Leas on a daily basis.)

*No data sets are currently being imported/exported by MSDE JSE. Phase II will create data file transfer capabilities to/from the new JSE SIS to the existing SISs used throughout the State of Maryland.*

<table>
<thead>
<tr>
<th>SIS Application</th>
<th>Vendor</th>
<th>LEAs</th>
<th>% LEAs</th>
<th>Students</th>
<th>% Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chancery</td>
<td>Pearson</td>
<td>2</td>
<td>8.3%</td>
<td>155,919</td>
<td>18.5%</td>
</tr>
<tr>
<td>PowerSchool</td>
<td>Pearson</td>
<td>9</td>
<td>37.5%</td>
<td>54,787</td>
<td>6.5%</td>
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<tr>
<td>Aspen</td>
<td>X2</td>
<td>3</td>
<td>12.5%</td>
<td>73,727</td>
<td>8.7%</td>
</tr>
<tr>
<td>Harris</td>
<td>Harris</td>
<td>1</td>
<td>4.2%</td>
<td>127,977</td>
<td>15.2%</td>
</tr>
<tr>
<td>STARS</td>
<td>BCPS</td>
<td>1</td>
<td>4.2%</td>
<td>103,180</td>
<td>12.2%</td>
</tr>
<tr>
<td>Custom</td>
<td>MCPS</td>
<td>1</td>
<td>4.2%</td>
<td>139,282</td>
<td>16.5%</td>
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<tr>
<td>CIMS</td>
<td>IBM</td>
<td>2</td>
<td>8.3%</td>
<td>48,461</td>
<td>5.7%</td>
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<tr>
<td>older version</td>
<td>Sungard</td>
<td>1</td>
<td>4.2%</td>
<td>38,610</td>
<td>4.6%</td>
</tr>
<tr>
<td>eSchoolPlus</td>
<td>Sungard</td>
<td>4</td>
<td>16.7%</td>
<td>101,838</td>
<td>12.1%</td>
</tr>
</tbody>
</table>

24 843,781

Data, Usage, and Other Technical Information
7. Per section 2.4, please confirm whether "data transfer" assumes a flow of data from: (1) LEA SIS to State SIS or a flow of data from State SIS to LEA SIS or a flow of data back and forth between the systems? Also confirm what data will be transferred.

There is no State SIS, but data transfer will occur between the new COTS JSE SIS and all 24 MD LEA SISs (Phase II). A Time & Material (T&M) work order will be issued after the Phase I & II implementations to develop data file transfer capabilities from the new JSE COTS SIS to the PK12 SLDS. The T&M work order process will be used for this effort, since the data elements have not yet been defined, making it a challenge to quote as a firm fixed price.

8. For PHASE 1: We see in section 2.4 that roughly 190 individuals may be users of the system from JSE. How many of these users are expected to use the system as part of their daily work? How many JSE users are expected to concurrent users? Do these answers address parent and teacher usage?

The JSE SIS will have 100 maximum concurrent users, with up to 190 having role based access privileges. At this time, the parent portal is not expected to be utilized, but we are requesting it because it is a core functional capability offered by all COTS SISs.

9. FOR PHASE 2: Per section 2.6.2.6, we see pricing requested only for the JSE user/student volume. How many additional users, if any, in total would be added once support for the 24 LEAs is added? How many of these are expected to be concurrent? Roughly how many students would be added to the system, if any?

None. The scope for Phase II does not add user or students. It provides capability to send student records electronically to/from JSE schools to/from the State of Maryland LEAs. This is important given the transient nature of JSE students transferring to/from LEA and JSE schools. The average student population for JSE is 800-1,000, and the staff is 190 with a maximum of 100 concurrent users.

10. Again, per section 2.4, will other entities/LEAS (i.e. charters, PROs) also be expected to transfer SIS data to the SIS? How many of these additional entities are there? How many additional students would each be expected to add to the system?

After Phase II, all 24 MD LEAs will transfer JSE student records information to/from the JSE SIS.

11. How much historical data will be transferred from existing SISs to the new system? How many years of historical data will be stored by the system for each student going forward?

July 1, 2013 to SIS implementation date (less than one fiscal year). This is a change from the TORFP and vendor pre-proposal conference where it was requested that historical data be migrated from July 1, 2010 to SIS implementation date.

12. For the three servers noted in section 2.4 slated to host the SIS solution, what are the specifications of those servers in terms of processing speed, capacity, RAM/ROM size, bandwidth, and current OS?

See “Server Info 1 of 2” and “Server Info 2 of 2” for server specifications.
13. How many registered system users will need to be able to create ad hoc reports (and add them to the master reports list) vs. access reports from a master list?

<20 users with role based access to be delegated by JSE Director

Experience

14. Per section 2.9, will MSDE accept the experience of a Managing Member of an MBE in existence less than 5 years in lieu of company experience meeting this requirement (for example, 5 years of successful COTS implementation)?

No.

15. Per section 2.8, what is the reason for the specific requirement that all resources have 3 years experience with SIS implementation as opposed to COTS or custom implementation experience?

*Given that Phase II requires establishing data file transfer capabilities of student record information with all 24 LEA SISs, SIS implementation experience was deemed critical.*

16. Per section 2.8.A.3, is experience as a PD and PM across multiple IT projects in K12, which have run concurrently, considered commiserate with the overall experience of 5 years as a PM?

*Yes, as long as the experience is equivalent to 10,000 hours (~ five years).*

Deliverables

17. Per section 2.6.2.7, Master Test Plan MSDE TO Manager approval is expected 45 days after NTP, and system acceptance per approved UAT scripts (assumed to be contained in the Master Test Plan) is required in 30 days per 2.6.2.2. Please clarify how these two dependent deliverables will be managed to allow delivery of 2.6.2.2 as listed.

*2.6.2.2 should be revised to NTP + 60 days.*

18. Please confirm whether UAT will be completed before data from the current SISs is loaded into the system?

*FY14 data from July 1, 2013 to current will be migrated and used for UAT.*

19. 2.5.1.25 - please confirm per page 66 of the RFP whether only JSE data would be maintained until age 22 or all data from all LEAs would be maintained until this milestone.

*The age 22 data maintenance requirement is for JSE only.*

20. 2.5.2.7 - please clarify what "upload from one system to be sent to another system without interference" means.
No significant delays, time-outs, and/or system refreshes per the COTS SIS specifications proposed by the vendor.

21. 2.5.2.11 - please clarify what types of UI controls would be expected?

User defined user interface layout that is offered as part of the COTS SIS functionality, without any customization.

22. For Operations and Maintenance Support, per section 2.6.3, please clarify what “On-Site Response” refers to. (For example, is this to be interpreted as the maximum amount of time to resolve a reported issue?)

If technical support is required, the help ticket will list the service level requirement, and the expected vendor phone and/or on-site response times to any of the 14 JSE schools and HQ location.
The following questions were received after the Pre-Proposal Conference:

1. What is the implementation budget (Phase 1, Phase 2, total)
   MSDE will not disclose the budget.

2. What is the ongoing support and maintenance budget (years 2-5)
   MSDE will not disclose the budget.

3. The minimum requirement verbally stated by the CIO was that the firm (not employees of the firm) have experience implementing SIS, but the RFP states Education of Government experience is acceptable (page 27). Can you confirm?
   Please use minimum requirements detailed in the TORFP.

4. The CIO really emphasized a hosted solution, but the RFP states on page 12 “The system architecture shall utilize MSDE owned and hosted centralized application and storage servers based at MSDE in Baltimore - two Dell PowerEdge R720 (225-2133) and one Dell PowerEdge R420 (225-2987) servers, supporting thin client web access at the JSE headquarters and the 14 remote school facilities.” Can you confirm an off-premise hosted solution is preferred?
   Please quote per the TORFP, but also submit a hosted solution proposal as an option as requested by the MSDE CIO.

5. The Pricing proposal will be a separate file using the attachment 1 format but named CATS+ TORFP #R00B3400094 Financial per the instructions – correct?
   Correct.

6. The required Attachments will be separate files (PDF format) within the submission email and named accordingly – i.e. the mail submission will contain 7 files?
   Correct

7. The 10MB file size limit is a limit on EACH file vs the email (with all attachments and files) together – correct?
   Correct
Attachment 1A
PRICE PROPOSAL (Time and Materials for LABOR Costs) FOR CATS+
TORFP # R00B3400094

Instructions – TO Contractor to provide each labor category resource for use in the work order process below with a not-to-exceed annual amount. The work order process will be used to support additional scope not currently identified in the firm fixed price TORFP.

<table>
<thead>
<tr>
<th>Labor Categories</th>
<th>A</th>
<th>B</th>
<th>C</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Estimated Hours Annually</td>
<td>Proposed CATS+ Hourly Labor Rates</td>
<td>Total Proposed CATS+ Price</td>
</tr>
<tr>
<td>Project Manager (Technical)</td>
<td>200</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Database Manager</td>
<td>200</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Subject Matter Expert 1</td>
<td>40</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Database Management Specialist (Junior)</td>
<td>200</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Security, Data Specialist</td>
<td>400</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Administrator, Systems</td>
<td>200</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Training Specialist/Instructor</td>
<td>40</td>
<td>$</td>
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</table>

**TOTAL EVALUATED PRICE** $
## ATTACHMENT 1B
### PRICE PROPOSAL FORM
Price Proposal (broken down by deliverables) for CATS+ TORFP # R00B3400094

<table>
<thead>
<tr>
<th>IDENTIFICATION</th>
<th>DELIVERABLE</th>
<th>PROPOSED PRICE (MSDE HOSTED)</th>
<th>PROPOSED PRICE (VENDOR HOSTED)</th>
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<td>COTS SIS “out-of-the-box” standard functional capabilities</td>
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<td>$</td>
</tr>
<tr>
<td>2.6.2.3</td>
<td>SIS data transfer capabilities to and from the 24 LEA SISs (Phase II)</td>
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<td>$</td>
</tr>
<tr>
<td>2.6.2.4</td>
<td>SIS customization to meet JSE business and functional requirements</td>
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<td>$</td>
</tr>
<tr>
<td>2.6.2.5</td>
<td>User training for MSDE HQ staff and at the 14 school facilities with 30 hard copy manuals</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>2.6.2.6</td>
<td>Annual COTS SIS Subscription/License cost based on current population of approximately 800-1,000 students, 170 field staff, and 20 HQ staff (scalable to a maximum of 2,000 active students per requirement 2.5.2.15)</td>
<td>Year 1 $</td>
<td>Year 1 $</td>
</tr>
<tr>
<td></td>
<td></td>
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<td><strong>Total Proposed Fixed Price</strong></td>
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</table>
### SUMMARY

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>TOTAL COST (MSDE HOSTED)</th>
<th>TOTAL COST (VENDOR HOSTED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor Cost</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Deliverables</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Total Evaluated Contract Cost</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

VENDOR'S NAME____________________________________________________________
ADDRESS____________________________________________________________________
CITY, STATE, ZIP CODE______________________________________________________
TELEPHONE NO._____________________________FAX NO._________________________
FEDERAL ID#_______________________________DUNS NO.________________________
EMAIL ADDRESS_____________________________________________________________
SIGNATURE_________________________________________________________________
PRINTED NAME_____________________________________________________________
TITLE_______________________________________________________________________
DATE_______________________________________________________________________

RETURN AS .PDF WITH YOUR TO FINANCIAL PROPOSAL
1.5.1 LIQUIDATED DAMAGES NOTIFICATION
By submitting a response to this solicitation, the Bidder agrees to make good faith efforts to comply with the MBE Program, and agrees that it shall be subject to the Liquidated Damages provision set forth at §48 of the State’s Contract. Liquidated Damages will be assessed as per the provisions of the Contract for the Contractor’s failure to comply in good faith to the following:

1. Submit each monthly payment report in full compliance with COMAR 21.11.03.13A(3).
2. Include in its agreements with MBE subcontractors a provision requiring submission of payment reports in full compliance with COMAR 21.11.03.13A(4).
3. Comply with COMAR 21.11.03.12 in terminating, cancelling or changing the scope of work/value of a contract with an MBE subcontractor and/or amendment of the MBE participation schedule.
4. Meet the Contractor’s total MBE participation goal and subgoal commitments (if subgoals are applicable).
5. Promptly pay all undisputed amounts to an MBE subcontractor in full compliance with the prompt payment provisions of this Contract.

TASK ORDER AGREEMENT ADDENDUM:
4.5 LIQUIDATED DAMAGES
This TO Agreement requires the contractor to make good faith efforts to comply with the Minority Business Enterprise (“MBE”) Program and contract provisions. The State and the Contractor acknowledge and agree that the State will incur damages, including but not limited to loss of goodwill, detrimental impact on economic development, and diversion of internal staff resources, if the Contractor does not make good faith efforts to comply with the requirements of the MBE Program and MBE contract provisions. The parties further acknowledge and agree that the damages the State might reasonably be anticipated to accrue as a result of such lack of compliance are difficult to ascertain with precision. Therefore, upon a determination by the State that the Contractor failed to make good faith efforts to comply with one or more of the specified MBE Program requirements or contract provisions, the Contractor agrees to pay liquidated damages to the State at the rates set forth below. The Contractor expressly agrees that the State may withhold payment on any invoices as a set-off against liquidated damages owed. The Contractor further agrees that for each specified violation, the agreed upon liquidated damages are reasonably proximate to the loss the State is anticipated to incur as a result of such violation.

A) Failure to submit each monthly payment report in full compliance with COMAR 21.11.03.13B (3): $25.68 per day until the monthly report is submitted as required.
B) Failure to include in its agreements with MBE subcontractors a provision requiring submission of payment reports in full compliance with COMAR 21.11.03.13B (4): $106.72 per MBE subcontractor.
C) Failure to comply with COMAR 21.11.03.12 in terminating, canceling, or changing the scope of work/value of a contract with an MBE subcontractor and/or amendment of the MBE participation schedule: the difference between the dollar value of the MBE participation commitment on the MBE participation schedule for that specific MBE firm and the dollar value of the work performed by that MBE firm for the contract.
D) Failure to meet the Contractor’s total MBE participation goal and sub goal commitments: the difference between the dollar value of the total MBE participation commitment on the MBE participation schedule and the MBE participation actually achieved.
E) Failure to promptly pay all undisputed amounts to an MBE subcontractor in full compliance with the prompt payment provisions of this contract: $99.14 per day until the undisputed amount due to the MBE subcontractor is paid.

Notwithstanding the use of liquidated damages, the State reserves the right to terminate the contract and exercise all other rights and remedies provided in the contract or by law.