



**DEPARTMENT OF
BUDGET & MANAGEMENT**

Martin O'Malley
Governor
Anthony Brown
Lieutenant Governor

T. Eloise Foster
Secretary

**QUESTIONS AND RESPONSES # 1
PROJECT NO. 050B7800012
Commercial Off-The-Shelf Software
February 28, 2007**

Ladies/Gentlemen:

This List of Questions and Responses #1, questions #1 through #28, is being issued to clarify certain information contained in the above named RFP. The statements and interpretations of contract requirements, which are stated in the following questions of potential offerors, are not binding on the State, unless the State expressly amends the RFP. 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 manufacturers bid on the contract?*

RESPONSE:

Yes. The State cannot restrict manufacturers from submitting proposals in response to the RFP.

2. *Is this a multiple vendor contract?*

RESPONSE:

Yes, the result of this RFP will be an unlimited award Master Contract. See RFP §1.1.3 page 1.

3. *Can we request that DBM oversee the contract?*

RESPONSE:

DBM approval is required for all purchases under the Master Contract exceeding \$25,000.

~Effective Resource Management~

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4. *Will Master Contractors be given enough time to quote pricing when a PORFQ is issued?*

RESPONSE:

Short response requirements should be the exception and not the rule. There may be instances when emergency situations arise and requesting agencies will require a short response period.

5. *Hardware/software installation can happen together, how do you separate?*

RESPONSE:

See section 2.4. Installation will be defined at the PORFQ level. Hardware will be purchased through another Master Contract. Hardware and Software installation will not occur simultaneously under this Master Contract.

6. *What happens when there is a merger of products?*

RESPONSE:

See Section 2.7 of the RFP. If products are changed, each Master Contractor in a Functional Area may add additional Manufacturer Product Lines, in that Functional Area, throughout the life of the Software Master Contract. To add a Manufacturer Product Line, a Master Contractor must submit a Letter of Authorization from the Manufacturer or Distributor for each new Product Line proposed. Once the Letter of Authorization has been confirmed by DBM, the Manufacturer Product Line will be added to that Master Contractor's list of Product Lines available. See response to Question #11 for acceptable Letters of Authorization.

7. *You are asking for labor rates over five years, how do you take into account cost of living and inflation?*

RESPONSE:

Attachment D-2 Functional Area II allows for a separate price for each of the five years. The State is not establishing an inflation formula. Offerors have the flexibility to propose pricing for each of the five years to allow for inflation. See Q&A #16.

8. *Is there a MBE goal for a vendor who is already a MBE?*

RESPONSE:

Yes, a Master Contractor, even one who is itself a certified MBE, is required to make a good faith effort to meet the subcontracting goal through use of another MBE.

9. *Define installation. Is there customization?*

RESPONSE:

Per Section 2.4.1 Installation services are limited to the installation of the COTS software with only the configuration necessary to ensure that the COTS software operates properly in the Requesting Agency's environment. Installation and customization requirements will be defined in the PORFQ. Installation services do not include customization.

10. *Will the fully loaded labor rate be different for onsite vs. offsite?*

RESPONSE:

Proposed labor rates are for both onsite and offsite.

11. *In section 3.4.2.3 you ask for letters of authorization to be on company's letterhead. Some companies will not send out letter head, just e-mail of authorization, is this acceptable?*

RESPONSE:

Yes, e-mails sent by the Manufacturer or Distributor in place of letterhead are acceptable. An amendment regarding this acceptance will be forthcoming.

12. *If we are awarded a Master Contract, is it acceptable to "no-bid" at the PORFQ level?*

RESPONSE:

Yes, a Master Contractor may submit a no-bid to a PORFQ via a PORFQ feedback form. See Section 2.8.2 of the RFP.

13. What is the time limit for proposing/adding additional software/services?

RESPONSE:

See Section 2.7 of the RFP. A Master Contractor may add additional Manufacturer Product Lines throughout the life of the Software Master Contract through the process described in the RFP.

14. If the manufacture is able to bid on this, why are distributors even bidding?

RESPONSE:

The State cannot restrict a Manufacturer from submitting a proposal in response to the RFP.

15. Do you need one sheet (attachment D-1) for every Manufacturer that you are proposing?

RESPONSE:

No, Offerors may list all Manufacturers on one D-1. However, a Letter of Authorization from the Manufacturer or Distributor is required for each Manufacturer proposed. One Letter of Authorization can cover one, some or all Functional Areas. See response to Question #11.

16. Is the labor rate the maximum the State of Maryland will pay?

RESPONSE:

Yes, labor rates are to be proposed for all five years of the Master Contract. An Offeror has the flexibility to set different prices for each of the five years to allow for inflation. These are not to exceed prices. Master Contractors can propose a lower rate when responding to a PORFQ, but may not exceed the labor rates proposed to the RFP.

17. Can a business partner add additional MBEs after award of the Master Contract in order to meet the 25% goal for functional area II?

RESPONSE:

MBEs are not required to be identified when submitting a proposal in response to the RFP. See RFP - Attachment G-1A page 53.

18. Does an MBE named as a subcontractor in the proposal have to have an authorization letter from the manufacturer certifying that the MBE is authorized to provide installation and/or training for the s/w products proposed?

RESPONSE:

If the question is in reference to the proposal in submission to the RFP, Offerors are not required to provide the MBE subcontractors they plan to utilize at the time of proposal submission. However, if the question is in reference to submitting a response to a PORFQ, then yes, the MBE must be certified by the manufacturer or distributor.

19. Can an MBE be a subcontractor on the proposals for multiple offerors?

RESPONSE:

If the question is in reference to the proposal in submission to the RFP, Offerors are not required to provide the MBE subcontractors they plan to utilize at the time of proposal submission. However, if the question is in reference to submitting a response to a PORFQ, then yes, the MBE can be a subcontractor on multiple responses to a PORFQ.

20. If a company is registered in the Small Business Reserve Program, but is not certified as an MBE, can that business be used to meet the 25% MBE requirement?

RESPONSE:

No, the 25% MBE requirement must be met by an MDOT-certified MBE.

21. What type of COTS software is this RFP intended to procure? Please give examples like CRM, Billing, Educational etc.,

RESPONSE:

All COTS software with the exception of Microsoft and Novell products.

22. How big a response do you require, beyond describing the general capabilities of the respondent?

RESPONSE:

Please read Section 3 of the RFP for response requirements to the RFP.

23. *Can a sub-contractor (MBE) be the designate of the Software OEM rather than the prime contractor?*

RESPONSE:

If the question is asking if it's acceptable for the MBE sub-contractor to possess the Letters of Authorization and NOT the Prime contractor, then the answer is NO. Master Contractors must have Letters of Authorization from Manufacturers or Distributors. If this not the question, please clarify.

24. *Can a fixed price be offered for installation of specific products?*

RESPONSE:

The requesting agency may issue a fixed price PORFQ. See Section 3.5.2 of the RFP.

25. *We are a reseller of a secure Email records management solution and we would like to submit a proposal in response to the RFP. In reading the RFP it appears that there is no restriction as to the type of Commercial Off-the-shelf software the state is looking for. Is that correct?*

RESPONSE:

The only restriction under this Master Contract to the types of Commercial Off-The-Shelf software proposed is that it can not be used for Microsoft and Novell products.

26. *What the bid is for and what exactly is; "Commercial off the Shelf Software?"*

RESPONSE:

Please read Section 1.3d of the RFP for the definition of COTS.

27. *Can you bid on one product only or do you have a specific list of software that you are looking for?*

RESPONSE:

If this question is referring to products to be provided at the Master Contract level, then the requirement of the RFP is to provide a list of manufactures whose software an Offeror will be supplying. If this question is for the PORFQ level, then the requesting agency will determine which COTS would be proposed.

28. *Does the Prime Contractor have to be a MBE or the subcontractor?*

RESPONSE:

The Master Contractor can be a MBE; however, if a Master Contractor proposes to Functional Area II-Training and Installation, the 25% MBE subcontracting goal must be met regardless whether the Master Contractor is a MBE. See Q&A #8.

An amendment regarding GSA pricing will be submitted in the near future. Submitted questions regarding GSA will be addressed in the forthcoming amendment.

Remember offers are due on March 23, 2007 no later than 2:00 p.m. If there are questions concerning this solicitation, please contact me via e-mail at ptracey@dbm.state.md.us or call me at (410) 260-7918 as soon as possible.

Date Issued: 02/28/2007

By:

Patti Tracey
Procurement Officer