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Governor

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Secretary

**Questions & Answers #1 for  
RFP # 050B880003  
Mobile Radio Equipment; Communications Consoles and Associated Equipment; and  
Installation, Repair and Preventive Maintenance Services**

**July 31, 2007**

**Closing Date: August 9, 2007 no later than 2:00 PM**

- 1. Question: Can we offer more than one manufacturer's radios? Example Kenwood, Icom, Vertex and Daniels.**

**Answer:** An Offeror can submit for any number of manufacturer's radios as long as the Offeror is an authorized reseller for each of the manufacturers they offer. See RFP Sections 2.1.2 and 3.4.2.3.

- 2. Question: For installation and repair is this stating we can not install a Motorola radio if we are not an authorized Motorola Dealer?**

**Answer:** For installation and repair, a maintenance Offeror is not required to be a certified dealer for a given manufacturer but may be required to be authorized by the manufacturer to install or maintain the equipment. Proof of authorization shall take the form of a letter of authorization. See RFP Sections 2.1.2 and 3.4.2.3(B). It should be noted that all work required under Functional Area III may not require that the master contractor be authorized by a manufacturer. If a manufacturer's authorization is not required, the PORFP will identify the prerequisites that must be met. Therefore, it would be in the best interest of a Functional Area III Offeror to provide Letters of Authorization for all manufacturers/products that they service and support.

- 3. Question: This RFP talks about a technical and a financial proposal. I do not see any specifications that will require a technical response. I can only determine that this RFP is asking for MSRP prices for equipment and services to set a ceiling not to exceed for future PORFP requests.**

**Answer:** The purpose of this RFP is to technically qualify vendors at the Master Contractor level for participation in future PORFP requests. The future PORFP would require a technical response that explains how the work will be done if the requirement goes beyond the scope of a hardware order. The required technical response submissions for the RFP are identified in RFP Section 3.4. Required technical submissions as described in RFP Section 3.4 include, but are not limited to, a Transmittal Letter, Executive Summary, Manufacturer's or Distributor's Letter of Authorization, Offeror Experience and Capabilities, etc. For Functional Areas I and II, Offerors shall acknowledge on Attachments D-1 and D-2 that pricing shall be no more than the lowest MSRP Schedule Price for each proposed Manufacturer product line at

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the time of the PORFP response. For the financial proposal for Functional Areas I and II, Offerors shall identify the manufacturer's for which they are an authorized reseller and commit to charging no more than the lowest posted MSRP Schedule price at the time of the PORFP response. The RFP does not require any MSRP pricing. For the financial proposal for Functional Area III, Offerors shall submit the fully-loaded hourly rates (both straight time and premium time) for each labor category listed on Attachment D-3. See RFP Section 3.5 and Attachment D for the price forms instructions.

**4. Question: Is the State going to provide a pricing template for pricing of services other than the hourly rate chart?**

**Answer:** The State declines to provide a pricing template for pricing of services other than the hourly rate chart provided in RFP Attachment D-3. The intent is that Offerors shall provide blended and all inclusive rates in accordance with the instructions in RFP Section 3.5.2 and Attachment D. Please remember that the prices represent a ceiling and not necessarily the price the State will pay. Those prices will be determined via secondary competition in a PORFP.

**5. Question: Would the State consider additional options for radio repairs other than just hourly rates requested? i.e. monthly recurring maintenance rates, flat rate factory depot rates, or per unit repair rates.**

**Answer:** The State declines to consider additional options for radio repairs other than the hourly rates listed in Attachment D-3. See the response to Question 4.

**6. Question: In Functional Area I and II, the State is not looking for any pricing just a commitment of products. Is this the same for Function Area III? The State is not looking for any pricing just a commitment to meet the areas of ownership?**

**Answer:** In Functional Area III, the State is seeking hourly labor rates for the labor categories listed in Attachment D-3. The labor categories are described in RFP Section 2.13 (Labor Categories and Qualifications) and Functional Area III pricing requirements are addressed in the responses to Questions 3 and 4. Pricing is unrelated to ownership which is addressed in RFP Section 2.1.4.2.

**7. Question: Does the State understand that there are certain high tier products that are sold directly by the manufacturer at pre-set discounts that only direct manufacturer representatives can sell at only the pre-set discounts? The discounts are set and can not be changed under any circumstances for these high tier product lines and therefore the State will receive the exact same price from the different certified Manufactured Representatives when a request for quote has been received.**

**Answer:** The State understands that there are certain high tier products that are sold directly by the manufacturer at pre-set discounts that only direct manufacturer representatives can sell at only the pre-set discounts; therefore, the State will receive the exact same price from the different certified Manufactured Representatives when responding to a PORFP. As described in RFP Section 2.8.3, evaluation criteria for awarding a PORFP will be established at the PORFP level. The Agency Point of Contact will recommend award to the Master Contractor whose proposal is determined to be the most advantageous to the State, considering price and the evaluation factors set forth in the PORFP. Evaluation factors other than price may include, but are not limited to, service, installation, programming and delivery.

- 8. Question: We would like to request a 10 day extension so that we have can the proper time to identify all of the areas we wish to be certified and determine what products and services are best to propose/respond to the RFP. With the summer months being short on resources due to vacations we respectfully request a little more time to properly respond.**

**Answer:** The State declines to grant an extension of time to respond at this time. As stated in RFP Section 1.11, proposals must be received no later than 2:00 p.m. on August 9, 2007 to be considered.

- 9. Question: After reading through the RFP, I do not see where the State has determined what type of radios and consoles are required. Is this simply a commodity bid?**

**Answer:** The State has not determined in the RFP what type of radios and consoles are required. These requirements will be determined and identified at the PORFP level. This is not a commodity bid. The purpose of this contract is to provide the State with contractors at the Master Contractor level to maximize flexibility in meeting agency needs for radio equipment and services. The intent is to provide a wide variety of manufacturer choices, allowing the using agency to determine their specific needs when issuing the PORFP. Accordingly, an Offeror's opportunity would be enhanced by submitting the largest number of manufacturers' lines it can practically handle.

- 10. Question: 2.1.3 Refund to state, is there a time frame the state agency is allowed to return a radio, 30days, 90days, 120days or 1year?**

**Answer:** Addendum 1 will change the requirement in the RFP Section 2.1.3 so that State agencies shall be allowed to return equipment to Master Contractors for any reason within 45 days, unless other arrangements are made between the Master Contractor and the State.

- 11. Question: Can you clarify whether or not specific resumes or personnel listings need to be included with the RFP response as there seemed to be different interpretations by State personnel?**

**Answer:** Resumes and/or personnel listings shall not be included with the RFP technical response. As described in RFP Section 2.12.1, Master Contractors shall only propose staff available at the time of the PORFP and in response to the PORFP. Resumes and/or personnel listings shall be included with the PORFP response, as requested.

- 12. Question: Under the qualifications for each respective labor category, can you clarify whether a person must meet all three educational, general experience and specialized experience requirements or whether the individual must meet only one of the three?**

**Answer:** Personnel proposed at the PORFP level must meet ALL the qualifications listed in RFP Section 2.13 for the specific labor category. Please note some of the labor category descriptions have preferred requirements and substitutes of experience for education. See RFP Sections 2.12.1 and 2.13 for the allowed exceptions.

**13. Question: If a Master Contractor wishes to do business with an MBE subcontractor which was not submitted at the time of RFP response (for example, a newly certified MBE), how may this be accomplished?**

**Answer:** Submission of MBE subcontractor(s) is not a requirement of the RFP technical response. MBE subcontractor(s) must be certified by the Maryland Department of Transportation (MDOT) by the submission timeframe in response to a PORFP. MBE's may be identified at the time of response to a PORFP.

**14. Question: Are subcontractors and MBE personnel held to the same qualifications as Master Contractor employees for a given FAIII labor category?**

**Answer:** Yes, subcontractors and MBE personnel are held to the same qualifications as Master Contractor employees for a given Functional Area III labor category. See RFP Section 2.12.2(A).

**15. Question: If no MBE subcontractors meet the labor category qualification, or if those qualified MBEs do not wish to respond to a PORFP what other efforts are necessary to meet the MBE subcontracting requirements and/or waiver requirements?**

**Answer:** As part of the technical proposal submission, offerors shall submit Attachment G-1A Offeror acknowledging the commitment of a good faith effort to achieve the MBE goal established in a PORFP. At the PORFP level, Attachments G-1 through G-2 shall be submitted. After notification of apparent award of a PORFP, Attachments G-3 and G-4 shall be submitted. If no MBE subcontractors meet the labor category qualifications, a Master Contractor shall submit Attachment G-1 acknowledging that a good faith effort to achieve the goal was made and requesting a waiver. If selected for award of a PORFP, a Master Contractor shall submit written waiver documentation that complies with COMAR 21.11.03.11.

**16. Question: Do all subcontractors need to be certified by the State or only MBE subcontractors?**

**Answer:** All MBE subcontractors must be certified by the Maryland Department of Transportation (MDOT) if used to fulfill any portion of the MBE goal requirement established in a PORFP. All subcontractors (MBE's and non-MBE's) must meet ALL the qualifications listed in RFP Section 2.13 for the specific labor category.

**17. Question: Can services in a given FAIII labor category be provided solely with subcontractor services?**

**Answer:** Yes, services in a given Functional Area III labor category may be provided solely with subcontractor services provided all subcontractors (MBE's and non-MBE's) meet ALL the qualifications listed in RFP Section 2.13 for the specific labor category and provided State approval is sought and given. Please note Addendum 1 will revise the Contract (RFP Attachment A), Section 25, to say in part, "The Contractor may not subcontract any portion of the services provided under a PORFP issued pursuant to this Contract without obtaining the prior written approval of the Agency Procurement Officer, nor may the Contractor assign this Contract or any of its rights or obligations hereunder, without the prior written approval of the Procurement Officer, any such approvals to be in the State's sole and absolute subjective discretion; provided however, a Contractor may assign monies receivable under a PO after due notice to the State." Simply stated, the

Master Contractor must obtain State approval for use of any subcontractor prior to the subcontractor performing any work.

**18. Question: How are additional Master Contractor personnel added to a given labor category (either to increase capacity in that labor category area or provide services under a labor category not previously submitted)?**

**Answer:** Since specific personnel are not proposed until a requirement is published in a PORFP, there is no need to have a pre-approved stable of personnel meeting the requirements of the labor categories in the RFP; accordingly, an Offeror need not include in its response to the RFP any requirement to add or specify personnel. Moreover, the State does not anticipate the need for any labor categories beyond those stipulated in the RFP and accordingly will not add any labor categories after Contract award. If you are aware of any labor categories that should be included, please advise and the State will consider adding them by amendment. If a Master Contractor needs to add personnel for an awarded task order, then the procedure in the RFP Section 2.12.2(A) for substitution could be used to add people on the task order in coordination with the Contract Manager. The important point to remember is that the State wishes to ensure all personnel working on a task order meet the qualifications listed in RFP Sections 2.12.1 and 2.13.

**19. Question: Can a Master Contractor add additional manufacturer's under FAI and FAIL (for examples, manufacturers new to the radio market which have proven and valuable products)?**

**Answer:** Yes, as described in RFP Section 2.7, each Master Contractor, in a Functional Area, may add additional Manufacturer Product Lines, in that Functional Area, throughout the life of the 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. Master Contractors can only add products to the functional area/s in which they have a Master Contract

**20. Question: How are emergency services procured when the State's needs do not allow for the time to issue, review and award a PORFP?**

**Answer:** When the State's needs do not allow for the time to issue, review and award a PORFP, emergency services shall be procured in accordance with the Code of Maryland Regulations (COMAR) 21.05.06 (Emergency Procurements).

**21. Question: Materials are stated to be passed on at no cost, however this does not recognize the burden on a Master Contractor for such items as shipping, cost of paying for materials and not receiving payment for those material until a much later date and other such items. Is there a method for recognizing these costs or will the State consider a fixed nominal markup to materials provided?**

**Answer:** As described in RFP Section 2.5, any material charges incurred by the Master Contractor shall be with prior approval of the agency and billed on a pass-through basis. Material charges cannot exceed the Master Contractor's invoice cost of materials. Shipping costs would be passed through if documented on the invoiced cost of materials. The State will not recognize or consider a fixed nominal markup to materials provided.

**22. Question: Are manufacturer Letters of Authorization the only satisfactory proof of a Master Contractor's ability to provide a given product line or will a manufacturer's current dealer contract be sufficient proof?**

**Answer:** As described in RFP Section 3.4.2.3(B), Manufacturer or Distributor's Letters of Authorization signed by the Manufacturer are required for each Manufacturer product line proposed by the Offeror. The State declines to accept a manufacturer's current dealer contract as sufficient proof.

**23. Question: As an RF Signal Enhancement company that may sub to Macom or Motorola or other big System Integrators, if we are involved in projects in MD where our equipment is being offered, do we need to be pre-approved with the MD state at all? (i.e. we would be a sub to the prime contractor)**

**Answer:** Your question can be taken two ways. If you mean do you need to be registered with the State Department of Assessments and Taxation (SDAT), then an organization (who has not been awarded a contract directly with the State of Maryland) that is offering equipment to another company who will in turn provide it to the State may not be required to be registered to do business with the State of Maryland. If you mean do you need to be approved as a subcontractor if you intend to work with a prime Master Contractor, then yes, you would need to be pre-approved by the State to be a subcontractor. See the response to Question 17. Moreover, if you are a manufacturer of equipment, you or whoever used your equipment would have to meet the requirements of the RFP Sections 2.1.2 and 3.4.2.3 (Letter of Authorization) if it meets the definitions of a FAI or FAI component. If your equipment is ancillary, and outside the description of RFP Sections 2.2 (FAI) and 2.3 (FAI), then Letters of Authorization would not be required.

**24. Question: Under 3.4.2.3, should the POC information requested by the State be that of the manufacturer or of the dealer holding the Master Contract with the manufacturer's product on it? What is the "Re-seller Identifier" referenced therein (if available)?**

**Answer:** The Point of Contact (POC) information requested by the State shall be that of the Manufacturer or Distributor. The Re-seller Identifier is a number received from or assigned by the Manufacturer or Distributor. Please provide for purposes of the RFP, if available/applicable.

**25. Question: For the response to this RFP, there is not a technical specification to propose to. What should the technical response contain? Should we provide technical brochures to support the Price proposal as the technical volume?**

**Answer:** Please refer to the answer in Question #3 for a description of what the technical response should contain. Offerors are required to provide a separate section for each functional area proposed describing what part of that functional area (as described in Section 2) the Offeror has the ability to provide and how the Offeror is qualified to provide what is proposed. Technical brochures shall not be provided to support the Price proposal as the technical volume.

**26. Question: If we designate our recommended service facilities in the response, can they express their rates for the State based on zones related to travel distance?**

**Answer:** No, even if recommended service facilities are designated in the response, rates for the State cannot be expressed based on zones related to travel distance. As described in RFP Attachment D (Price Proposal Form and Instructions), Form D-3 requires fully-loaded hourly prices (straight time/work performed during normal hours and premium time/work performed outside of normal hours) for the labor categories being proposed. Please refer to RFP Section 2.14 for information relating to travel reimbursement.

**27. Question: In RFP Section 3.4.2, you state that the technical proposal shall be organized and numbered in the same order as this RFP. Does this mean that a response to Section 1—General Information and each sequential section or does this mean that a response to each Functional Area I, II and III? This is not clear as to how to set up the table of contents.**

**Answer:** A response to Section 1 (General Information) is not required. As described in RFP Section 3.3, Offerors shall provide a separate section within its technical proposal responding to each functional area proposed describing what part of that functional area (as described in Section 2) the Offeror has the ability to provide and how the Offeror is qualified to provide what is proposed. The sections responding to each functional area proposed shall be organized and numbered in the same order as this RFP. See the response to Question 3 for contents of the technical proposal.

Should you require clarification of the information provided, please contact me at (410) 260-7374 as soon as possible.

Date Issued: **July 31, 2007**

By: <signed>  
Andrea R. Lockett  
Procurement Officer