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*Office of the Secretary
Division of Policy Analysis*

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Questions and Answers #3 to Request for Proposals (RFP) High Capacity Circuit Services (HCCS) Project No. 050R3800141

Ladies and Gentlemen:

The State has received the following questions by e-mail, which are answered for all offerors to the referenced RFP. The numerical sequencing begins at question #16 since questions up to #15 were answered in Q&A #2.

16. **Question.** Section 1.22, Mandatory Contract Terms. Regarding the associated terms and conditions of this RFP and the Contract, provisions under COMAR may be interpreted as allowing changes to mandatory provisions for all contracts. With this in mind, if the Offeror requests changes to this RFP or Contract that are in line with COMAR, will this action be viewed as an exception and thus may result in proposal rejection? For example, COMAR requires a *Termination for Convenience* clause and gives **preferred** clauses. Would it be considered an exception if we offer one of the COMAR preferred *Termination for Convenience* clauses with some wording changes or is it mandatory that we accept the clauses exactly as they appear in this RFP and the Contract?

Answer. The Department can, with limitation, consider minor alterations of some clauses in the contract terms. Any specific, suggested alteration of contract terms should be presented in writing, for consideration and written response by the Department, prior to submission of proposals. Any requested alteration of terms which has not been accepted by the Department, prior to the proposal due date through a written amendment to the solicitation must be removed from offerors proposal or it may be considered to be an exception which may be cause for rejection of the proposal. Regarding the “Termination for Convenience” (short form) clause contained in the contract, please examine the provisions of COMAR 21.07.01.12A(2), which govern a Termination for Convenience.

17. **Question.** Section 2.6.5, ATM Requirements. Please further expand on the requirements for item 2.6.5. Please provide a scenario whereby the ATM Network will interface with the Public Switched Network.

Answer. The State requires ATM services between State-owned customer premise equipment and requires common carrier services to accomplish this. Example: The State has an ATM device located in Easton, Maryland, and requires an ATM CBR service from this device to another ATM device in Annapolis. The State would expect that in order to accomplish the service, an interface would be required to a common carrier's network.

18. **Question.** Section 2.6.5, ATM Requirements. Is the State's reference to the Public Switched Network equivalent to the Public Switched Telephone Network (PSTN)?

Answer. Yes.

19. **Question.** Section 2.3.1.2, General Requirements. The State has indicated, "Contractor submitting a proposal for *inter*/intra-LATA FR/ATM services shall include all services and all data transmission rates in and *across* all LATAs listed in Attachment F prices sheets A-25 through A-33 throughout the State of Maryland." Does the State intend to procure *inter*-LATA FR/ATM services as a part of this contract?

Answer. No. Section 2.3.1.2 has been amended (Amendment #3) to say in part, "Contractor submitting a proposal for intra-LATA FR/ATM services shall include all services and all data transmission rates in all LATAs listed in Attachment F prices sheets A-25 through A-33 throughout the State of Maryland. To obtain circuit connectivity across the LATA(s), the State shall order a DDS circuit or use organic State infrastructure."

20. **Question.** Section 3.4.2, Format of the Proposal. This section states, "*the Offeror's technical proposals should be organized and numbered in the same order as this RFP.*" Please clarify if this requirement pertains only to our response to RFP Section 2, Scope of Work (i.e. our section 2.2.2.1 should match that of the RFP in terms or numbering and content) or to our entire response. If it pertains to our entire response, does this mean our response to References should be numbered 3.4.2.5, Financial Capability and Insurance should be 3.4.2.6, etc.?

Answer. Yes. The Section 3.4.2 instructions pertain to the entire response. Sections 2 and 3 of the RFP both have requirements to which a response is required and accordingly, all responses should be mapped to the RFP numbering system.

21. **Question.** Attachment F, Pricing Forms Sheet A-1 through Sheet A-24. Our mileage calculation for the sample locations provided do not equal the mileage numbers that the State has pre-populated in Column A of the pricing sheets. Should we use the mileage numbers provided by the State or should we use the mileage numbers from our mileage calculation tool?

Answer. The mileages listed in Attachment F are for evaluation purposes only so that all proposals may be evaluated equally. Note Proposal Price Sheet A-34 asks for "evaluated price proposed." Use the mileages listed on the Attachment F Proposal Price Forms. The actual mileages and unit prices to be used by the winning Contractor for invoicing will be those submitted in response to Sections 3.4.2.12 and 3.5.1.10.

22. **Question.** Attachment F, Pricing Forms Sheet A-1 through Sheet A-34. The State issued Excel versions of Pricing Forms Sheets A-1 – A34 do not include formulas. Does the State intend on issuing revised Pricing Forms with formulas or does the State want the Offerors to input the formulas?

Answer. The State did not embed the calculation formulas into the Excel version of the Attachment F Proposal Price Forms but has provided the basis for the calculations in the RFP. Offerors should follow the instructions in Section 3.5 and the Proposal Price Forms to derive the amounts to be entered on the forms. It is the Offeror's choice to enter formulas or not.

23. **Question.** Attachment F, Pricing Forms Sheet A-25. Will the State consider adding 384 Kpbs access line to the FR services Pricing Form Sheet?

Answer. No.

24. **Question.** Attachment F, Pricing Forms Sheets A-27, A-29, A-31, & A-33. For each of the four sheets, the table title indicates “CBR”, however under “Features”, the PVCs are listed as Variable Bit Rate. Please clarify?

Answer. Pricing sheets A-27, A-29, A-31, and A-33 have been amended (Amendment #3) to reflect the necessary change from Variable Bit Rate (VBR) to Constant Bit Rate (CBR).

25. **Question.** Section 1.11, Proposal Due (Closing) Date. Currently the due date is June 4, 2003. So there is adequate time for the State to answer questions, as well as time for the Contractors to incorporate in their perspective proposals the State’s responses to questions, we respectfully request an extension of at least 30 days.

Answer. To date, questions have resulted primarily in clarifications and when needed, the State has published amendments. To account for the extra information Offerors must consider, the RFP has been amended (Amendment #3) to reflect a new proposal due date of June 18, 2003.

Date Issued: May 23, 2003

By <signed> .
Norman H. Grinnell
Procurement Officer