



**DEPARTMENT OF
BUDGET & MANAGEMENT**

Martin O'Malley
Governor

Anthony Brown
Lieutenant Governor

T.Eloise Foster
Secretary

**QUESTIONS AND RESPONSES # 2
PROJECT NO. 050B7800012
Commercial Off-The-Shelf Software
March 23, 2007**

Ladies/Gentlemen:

This List of Questions and Responses #2, questions #29 through #50, 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.

29. What are the main software brands that have been purchased most in the past two years?

RESPONSE:

See Response to Question #30 below.

30. We would like to request information on the purchasing history under the last contract (ref 20/20)? If we can not receive this history, the top 20 purchases or list of software would be most helpful in preparing a competitive bid response.

RESPONSE:

Listed below are the Top 20 software brands purchased under the 20/20 contract, excluding Microsoft and Novell:

- ORACLE
- MCAFEE
- VERITAS
- ATTACHMATE
- RSA
- BUSINESS OBJECTS
- CHECKPOINT
- CITRIX
- COMMVault
- EXTRA
- SYSTEM ALL

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- ADOBE
- EVAS
- DELL
- INOVAS
- SOPHOS
- SYMANTEC
- WEBSense
- IBM COMPUTER ASSOCIATES
- INVERWOVEN

31. Can you give us an insight on which software publishers the State of Maryland deals with?

RESPONSE:

See response to Question #30 for the top 20 software publishers the State of Maryland has dealt with under the previous 20/20 contract. Microsoft and Novell are excluded from the list above and are excluded from this Master Contract. The State of Maryland can potentially purchase from any software publisher other than Microsoft or Novell under this Master Contract.

32. Page 20, section 3.2 mentions proposals must be returned in "Word" format. Some of the documents to be returned require signatures, is it acceptable to provide those in Adobe PDF format?

RESPONSE:

Section 3.2 does not say that proposals must be returned in "Word" format. It says MS Word format or equivalent is acceptable. The Department deems PDF format as an acceptable alternative to Word.

33. Page 20, section 3.2 mentions the "original" proposal must be "unbound". Does this mean the documents should not be put in a 3-ring binder and if so, is it acceptable to clip or rubber band the contents to avoid papers getting out of place?

RESPONSE:

Unbound copies may be clipped or you can rubber band the contents. They are not to be placed in a binder.

34. Page 10, section 1.30 mentions that modification of the software for non-visual access cannot exceed 5% of the cost of the software. We have reviewed the non-visual documentation on the dbm site and require some clarification on exactly what type of modifications would be required for software. Please provide some examples.

RESPONSE:

It would depend upon the nature of the software. Modifications would include any changes to the software to make it non-visually accessible.

35. Page 12, section 2.3.2 requires a full refund within 30 days for all software purchased. Can this requirement be clarified to include only software which has not been opened or otherwise installed for use on a machine. Most manufacturers will not return software that has been opened or used in any way.

RESPONSE:

We decline to clarify as requested.

36. Page 12, section 2.3.3 mentions that expedited shipping charges may apply for Standard Overnight Delivery (deliver by 3:00PM the next day), Priority Overnight (deliver by 3:00PM the next business day), and Saturday Delivery (delivery by 12:00PM). We have the following requests/clarifications:

36A) We would like to request the Standard Overnight Delivery be modified to state delivery by 3:00PM the next business day.

36B) We would like to request that Second Day Delivery be added to the list

36C) We would also like to request that "Delivery times shorter than those requested in the PORFQ" also be subject to additional charges.

RESPONSE:

Amendment 5, Item #5 changes the delivery language. With this changed language all of these questions should be moot.

37. Page 21, section 3.4.2.3, requiring a letter from the manufacturer or distributor for EACH manufacturer product line. Many manufacturers do not require specific authorization to sell their products and therefore do not have a reasonably accessible source to provide a letter. Additionally, it is unfair to ask a distributor to provide over 500 individual letters. Will the state consider one letter from a top tier distributor stating ALL the software brands a vendor is able to sell?

RESPONSE:

The RFP does not use the term "top tier" distributor. If by "top Tier" it is meant 1st Tier, yes, Offerors may submit one letter from a 1st tier distributor which includes all the software products proposed by an Offeror authorized to sell from that distributor.

38. Page 20, section 3.3 states "Offerors shall include 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 qualifies to provide what is proposed." Please clarify if each proposal must include a separate tab for each Functional Area and include a line by line response to Section 2 as well as 3.4.2.5 (Offeror Capabilities)?

RESPONSE:

You do not have to repeat areas of your proposal for different functional areas. Offeror Capabilities can be listed in your proposal once to include all functional areas an Offeror is proposing.

39. Page 20, section 3.4.2 states proposals should be in the same order as the RFP. Please clarify if that means that all proposals must include a line by line response to every item in the RFP, or just Section 3.

RESPONSE:

Proposals should follow the order of subsections listed in Section 3.4, Volume I- Technical Proposal.

40. Please clarify if a line by line response to section 2 of the RFP is required.

RESPONSE:

See response to Question #39

41. What is the estimated expected award date?

RESPONSE:

We anticipate award on or before September 1, 2007. Please see Amendment #5, Item #3 which revises Section 1.5 - Master Contract Duration of the RFP.

42. Page 21, section 3.4.2.3 requires manufacturer letters. If we are providing multiple letters may we put them in an Attachment to the proposal response?

RESPONSE:

Yes, an attachment that includes all Letters of Authorization is acceptable; however, please use the same order for manufacturers proposed in Attachment D-1.

43. The Technical Proposal Section 3 which outlines the response format does not state where to put Attachment G-1-A. Please advise exactly where this should be placed in the the proposal response and with which Volume.

RESPONSE:

See Amendment #5, Item #9 which indicates Attachment G-1-A should be placed after Attachment H, Conflict of Interest Affidavit and Disclosure.

44. Fall pricing, can vendors provide different pricing for installation versus training? Trainers usually get paid a higher wage than installers.

RESPONSE:

The Labor Rate Schedule, Attachment D-2, for Functional Area II – Installation and Training Services, provides for hourly rate pricing specifically for a Trainer. (Line 1, Training Specialist/Instructor.)

45. Please confirm no prices need to be submitted for FAI or III.

RESPONSE:

Prices are not required when submitting a proposal in response to Functional Area I –COTS software or Functional Area III-Maintenance. Please follow Attachment D – Price Proposal Form and Instructions for each functional area.

46. I can have the State of Maryland noted on the Certificate of Insurance - what address should be used?

RESPONSE:

Please use the following information:

Maryland Department of Budget and Management
Division of Procurement, Policy and Administration
45 Calvert St., Room 140
Annapolis, MD 21401
Attn: Patti Tracey
Procurement Officer

47. We understand that we need to sign and submit Attachment D – GSA Schedule Price Commitment, but is there an actual price list we need to submit as well?

RESPONSE:

No actual price list is required when submitting a proposal in response to the RFP when completing forms D-1 or D-3, prices must be included with D-2.

48. As part of the current DBM 2020 contract, we submit regular monthly reports to your agency detailing all sales associated with the contract. Will these types of reports be required as part of the new contract? I did not see mention of reports in the RFP.

RESPONSE:

No sales reporting will be required; however, Master Contractors participating in Functional Area II are required to file monthly MBE reports See Attachment G for submission requirements.

49. Can a manufacturer respond directly to the State of Maryland and then name reseller partners to fulfill orders for goods and services under the contract to those agencies requiring them?

RESPONSE:

If a “reseller partner” is to be a subcontractor, the answer is yes. RFP Section 2.8.2 I, anticipates that subcontractors might be identified in a TO proposal. Section 2.9.1 also anticipates the use of subcontractors.

If it is intended that a “reseller partner” somehow become a Master Contractor in its own right, this cannot occur. Master Contractors cannot be added to the Master Contract after the award of the Master Contract.

If it is intended that a reseller partner be assigned a Master Contract by a manufacturer that has a Master Contract, under limited circumstances this might be permitted by the State. However, it cannot be predicted in advance whether the State would approve a request for assignment.

If a “reseller partner” involves a relationship other than the three scenarios described above, the specific relationship between the manufacturer and the reseller partner needs to be explained before this question can be answered.

50. There does not appear to be a way for a Contractor to offer manufacturer's standard Installation and Training line items under Functional Area II. If a Contractor wanted to offer these items only, or in addition to the Contractor's hourly rates, how should these items be identified on Attachment D-2.

RESPONSE:

Under the Instructions section of Attachment D, it is stated that Offerors cannot propose for Functional II only. Similarly, under RFP Section 1.1.3, the available ways in which an Offeror may propose under this RFP does not include Functional Area II by itself as a permissible response.

Date of Issue: March 23, 2007

Patti Tracey
Procurement Officer