



Q&A #2
CATS+ RFP
PROJECT NO. 060B2490023
July 25, 2012

Ladies/Gentlemen:

This list of Questions and Answers #2, questions #1 through #169, 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.

21. **Question:** How many master contractor awards will be made?

Answer: We will make awards to all Offerors that meet the requirements of the RFP.

22. **Question:** We are Maryland based start-up. The firm was incorporated in late fall of 2010 and the firm has qualifications and past performance to apply for FA's that firm has strong experience in delivering to the customers. Can the firm propose to become a Master Contractor and attain award?

Answer: Your firm must have been in business for two years to be eligible for award.

23. **Question:** Question 8 in the Q&A released on 7/12 and Section 3.5 in the RFP suggests that offerors have to submit pricing for ALL labor categories (in Attachment F-A1) even if we do not have the resources or plan to bid on ALL functional areas. This would mean that offerors are being asked to provide pricing for labor categories which they have no experience or capabilities or can actually deliver. This is not what was asked for in response to the CATS II RFP. Can you confirm this that DoIT wants offerors to provide rates for **only RELEVANT** labor categories for the functional areas they are proposing?

Answer: Offerors must provide rates for ALL labor categories to be compliant with the requirements of the RFP.

24. **Question:** Given the size and scale of the required response and considering that some of the potential bidders are small businesses, will DoIT extend the proposal due date beyond 8/1?

Answer: We do not anticipate an extension.

25. **Question:** As an MBE, we will respond as prime for CATS+. Are we able to participate as sub-contractor with another prime to meet their MBE goal? Will you treat this as multiple submission?

Answer: You may propose to a TORFP as a prime or/and as a subcontractor for another master contractor.

26. **Question:** Ref: Page 83. Section 3.5 states: "Offerors must propose pricing for all labor categories to be considered for award". Are you asking vendors to propose pricing even for those labor categories for which the vendor is electing not to submit proposal for associated functional are?

Answer: See Question 23.

27. **Question:** Can a MBE firm submit proposal as a prime and also be a sub to another firm?

Answer: See Question 25.

28. **Question:** Will DoIT consider extending the proposal due date by one week.

Answer: See Question 24.

29. **Question:** The RFP has clear instructions regarding submission of proposal; i.e. an unbound original, a copy and an electronic version on a CD to be submitted to the office in Annapolis. However, on the CATS+ RFP page of eMaryland Marketplace web site, the option "Allow Electronic Quote" is stated as "Yes". Can you please clarify what this means?

Answer: We will not accept proposals submitted via the internet (ie including but not limited to eMM, email, etc.).

30. **Question:** Section "3.4.2.5 Insurance Submission" states "Provide proof of insurance described in Section 2.7 ". Are the copies of insurance certificates required to be submitted along with the proposal?

Answer: Yes.

31. **Question:** The insurance certificates are required to be included in the proposal. Can you please confirm if the "General Liability" insurance certificate is adequate? If not which other certificates are required?

Answer: As stated in Section 2.7, Offerors must provide proof of property & casualty insurance, including liability coverage.

32. **Question:** Section 2.7.3 states "The State of Maryland will be named as an additional named insured on the policies of all property, casualty, liability, and other types of insurance evidencing this coverage." Is it correct to assume that State of Maryland will be added as an insured after the CATS+ contract is awarded to an offeror?

Answer: Proof of the change must be provided prior to award.

33. **Question:** The State is asking vendors to price every labor category (3.5) in order to be eligible for award, yet a vendor does not have to bid on every Functional Area. That seems to be a disconnect. It also seems odd that if a vendor mainly provides IT services and might have never provided services for an Electrician's Helper or Marketing Consultant that the State would expect them to be familiar with pricing for those people. How would that be evaluated and what benefit would that be to the state or the vendor? Can you please clarify?

Answer: CATS+ financial proposals will only be evaluated for completeness. All Offerors MUST propose labor rates for all labor categories to be eligible for award.

34. **Question:** Please confirm that the Bond referenced in Functional Area Thirteen is only applicable to those wishing to qualify in that category.

Answer: Section 2.3.13 specifies that Attachment M is only required for Functional Area 13 Offerors and Attachment M is not included in the list of required Attachments in 3.4.2.6.

35. **Question:** Are there known functional areas such IT and Telecommunications Financial Auditing and Consulting Services that would limit an Offeror from supporting other functional areas due to a conflict of interest or is this assessed on a case-by-case TORFP basis?

Answer: Conflict of interest would be determined at the TORFP level.

36. **Question:** Will State agencies that require security clearances or the Offerors to perform Criminal Justice Information System State and Federal criminal background investigations for staff, sponsor the cost of these services or is the Offeror responsible for these costs?

Answer: Such administrative costs are the Offeror's responsibility.

37. **Question:** Subsection 3.4.1 of the RFP states one of the purposes of the transmittal letter is to acknowledge receipt of any addenda. Is a written statement listing each addendum the Offeror acknowledges sufficient or will the DoIT post documents for Offerors to sign as proof of acknowledgement?

Answer: A written statement is acceptable.

38. **Question:** Subsection 3.4.2 states the Offeror should organize and number their proposal based on the outline of Sections 2 and 3 of the RFP for ease of evaluation. This would result in inconsistent numbering in the Technical Proposal if an Offeror is not responding to each functional area. For example, if an Offeror only proposes to support Functional Area 17

described in the RFP, Section 2 of the technical proposal would start with subsection 2.3.17?
Can you please provide clarification on this area?

Answer: Please use numbering that corresponds with the RFP Section to which you are responding as noted in your example.

39. **Question:** Section 3.4.2.5 states the Offeror should submit proof of insurance as part of the Technical Proposal. The insurance companies provide a document as proof of insurance but it will not be in the MS Word format that the DoIT requires Offerors to submit the Technical Proposal. How should Offeror include proof of insurance documents that are in the form of a letter from the insurance company?

Answer: Please submit a hard copy with the proposals and a scanned copy on the CD or flash drive.

40. **Question:** The RFP states: "The Offeror shall provide an example of a successful project in each proposed functional area" Is there a timeframe when this project must have occurred? Last 10 years, 5 years, 1 year?

Answer: No, we are not requiring examples within a certain timeframe.

41. **Question:** Section 3.4.2 specifies the sections of the technical response. Section 3.4.2.3 (Offeror General Information) lists as item #3 the Offeror MBE Form – Attachment D-1A. Section 3.4.2.6 (Required Submissions) lists as item #2 the Attachment D-1A- Completed, signed and unedited CATS+ Master Contractor Acknowledgement of Task Order MBE Requirements form. Are we to include this form twice?

Answer: This is not necessary. All Attachments may be included in an Attachments Section at the end of your proposal.

42. **Question:** Per page iii of the RFP and Attachment F, we understand the Contract Duration to be 15 years. Will a vendor's response be deemed "non-responsive" or be disqualified if we propose rates for a contract period less than 15? Meaning if we propose rates across labor categories for five (5) years and state that rates for years beyond year five (5) will be subject to a reasonable escalation or inflation adjustment based on TORFPs that may be issued beyond 5 years.

Answer: Yes, an Offeror that does not submit a complete price proposal would be considered "non-responsive."

43. **Question:** Paragraph 1.21 Mandatory Contractual Terms - Is the State willing to accept alternative language proposed by vendors and/or be willing to negotiate a limited number of terms in the Master Contract OR is acceptance of the Master Contract terms as presented in "Paragraph 1.21 Mandatory Contractual Terms" mandatory?

Answer: The State cannot negotiate separate terms with Offerors. Most of the terms and conditions contained in the RFP are dictated by State law and the State has little if any room for

negotiations. Acceptance of the Master Contract terms as presented in the RFP and subsequent contract are mandatory.

44. **Question:** In ATTACHMENT F – PRICE PROPOSAL FORM INSTRUCTIONS you state, "record the hourly labor rate for all labor categories. Offerors MUST propose to all labor categories regardless of their ability to fill positions for that labor category." Please note that as a Business / IT Services organization, there are many categories that do not align to our core business mission, therefore, we have no basis to determine an "appropriate" labor rate for those labor categories and skills. In addition, you state in section 1.1.3, "Offerors may propose to one, several or all functional areas." Since Labor Categories in Price Form A align to the 17 Functional Areas, can a vendor just provide rates for the labor categories that align to the Functional Areas they propose instead of providing rates for all Labor Categories, some of which are not aligned to a vendor's core business mission?

Answer: See Question 23.

45. **Question:** The RFP, at Section 1.24, requires submission of Form D-2 MBE participation schedule which would nominally include partner and subcontractor information. We note that in Questions #7 and #20 in Q&A #1, DoIT states that partner and subcontractor information is not to be included in the RFP response. Could you please clarify the requirement?

Answer: The submission of form D-2 is not required with your response to this RFP. Section 1.24 **ONLY** requires the submission of Attachment D-1A- CATS+ Master Contractor Acknowledgement of Task Order MBE Requirements.

46. **Question:** Section 1.24 states that the aggregate MBE subcontractor participation goal is expected to be 20 percent. Since this is a zero-dollar contract, is it the expectation that all TORFP's let under CATS+ meet this goal on an individual basis or will this objective be addressed collectively during the final time of the CATS+ contract?

Answer: Section 1.24 explains that "*The State shall assess the potential for an MBE subcontractor participation goal for each TORFP/RFR issued (including any TORFP/RFR designated as a Small Business Reserve) and shall set a goal, if appropriate.*" The overall goal is 20% for the total value of the contract.

47. **Question:** Section 1.33 of the RFP states that other non-state agencies will be participating in the CATS+ contract. What non-state agencies are referred to in the RFP?

Answer: Local governments and municipalities may use this contract.

48. **Question:** Can you provide us a list of State agencies or Authorities who will be participation in this CATS+ contract?

Answer: No, we cannot. Executive branch agencies may participate as may local governments and municipalities.

49. **Question:** Will vendors be permitted to revise rates at the three year expansion windows to accommodate such things as market condition, changing technologies, and higher overhead costs?

Answer: No, rates may not be changed. Please use care in calculating and proposing your ceiling labor rates.

50. **Question:** The RFP requires that the submitting entity provide documentation of successful projects in each of the identified business spaces that are included in the vendor submission. Is it permissible to include projects that were completed using shared capabilities in a team setting with other vendors?

Answer: You may only provide your company's experience and expertise.

51. **Question:** Related to this question, can the respondent to the RFP identify the secondary vendors/subcontractors to meet the Past Performance requirements in RFP Section 3.4.2.4?

Answer: No. Past performance must be met by the proposing entity.

52. **Question:** Does DoIT have a preference for the Word and Excel versions for the electronically submitted proposal volumes, i.e., 2007 or 2010?

Answer: No, either is sufficient.

53. **Question:** We observe that while all the labor categories are referenced back to the same category in CATS II except for two new categories that are not numbered – GeoSpatial Web Developer (Senior and Mid-level). Should these labor categories be assigned a class number for these positions consistent with the existing CATS II schedule?

Answer: No. We've provided the reference to CATS II only for the convenience of State-Agencies and incumbents.

54. **Question:** Does DoIT have a preferred method of projecting rates over the fifteen year window required by the proposal?

Answer: No, please use care in determining your ceiling labor rates.

55. **Question:** Major changes in technology take place on a faster cycle that the 15-year bid window would suggest. The iPhone and iPad, which are now commonplace in the work environment, did not exist at the time CATS II was issued. How will CATS+ be modified over time to reflect changing technology and the associated costs of obtaining resources with adequate experience to support these technologies?

Answer: We will not make modifications to the CATS+ contract.

56. **Question:** The technical volume includes requirements for financial information on the bidder. As this information may be proprietary and sensitive, can the bidder submit a redacted version of the technical volume for public dissemination?

Answer: Please follow instructions in Section 1.19 of the RFP regarding confidential or proprietary information.

57. **Question:** Given that there is an overlap between CATS II and CATS+, are bidders required or expected to use CATS II labor rates in CATS+ for the years in common, i.e., 2012 and 2013?

Answer: No.

58. **Question:** If a contract let under CATS II is active when CATS II expires, will the contracted pricing apply or will the agency be required to seek new bids for the same services using the CATS+ framework?

Answer: CATS II task orders may not extend past the CATS II expiration date of 5/31/2014. Any incomplete work would be recompeted under CATS+.

59. **Question:** Would it be possible for the State to execute an NDA with our company? We are a privately-owned company and would like to protect the confidentiality of our financial information.

Answer: The State will not negotiate separate agreements. Please follow instructions in Section 1.19 of the RFP regarding confidential or proprietary information.

60. **Question:** The RFP requires that we fill out “ATTACHMENT M – PERFORMANCE BOND” but the type of work that we do (IT/software development), does not require any type of bonds. Can we skip this section/attachment?

Answer: See Question 34.

61. **Question:** It is my understanding that you do not want any information regarding MBE partners to be included in our response. Does this also include subcontractors as well?

Answer: Yes. You must meet the functional area requirements based on your company’s experience.

62. **Question:** You are asking us to provide eMaryland Marketplace number and Federal Tax ID Number. Offerors certified under the Small Business Reserve Program and certified as a Maryland Minority Business Enterprise (MBE) shall provide those certification numbers in (3.4.2.2) **Executive Summary** and in (3.4.2.6) **Required Submissions** Attachment N- Offeror Information Sheet. Do you want us to duplicate such details in 2 sections of our Technical Proposal Volume I?

Answer: Yes.

63. **Question:** You are asking us to provide MBE Form – Attachment D-1A in **(3.4.2.3) in Offeror General Information Offeror** and in **(3.4.2.6) Required Submissions Attachment D-1A Completed, signed and unedited CATS+ Master Contractor Acknowledgement of Task Order MBE Requirements form.** Do you want us to duplicate such details in 2 sections of our Technical Proposal Volume I?

Answer: See Question 41.

64. **Question:** We find a number of Affidavits in Technical Proposal Volume I. Do we need to notarize any of those?

Answer: Attachment M- Performance Bond is the only attachment that requires a seal. This Attachment is only required for Functional Area 13 Offerors.

65. **Question:** We find that one example (**Past Performance**) may be used for multiple functional areas. Do you want us to list functional areas that apply to that example in (3.4.2.4) Past Performance section under each example?

Answer: Please provide this information in the clearest format possible. We will accept a clear list of the Functional Areas that apply to the example or a separate section for each Functional Area.

66. **Question:** You are asking us to list functional areas in (3.4.2.2) Executive Summary and in (3.4.2.4) Past Performance. Are these the only place we list our desired functional areas?

Answer: Yes. 3.4.2.2 and 3.4.2.4 are the only places that require the listing of the Functional Areas to which you are proposing.

67. **Question:** What can we provide under Successful financial track record? Is it last 3 years sales numbers?

Answer: Yes, that would meet this requirement.

68. **Question:** What do you want us to include in (3.4.2.5) Insurance Submission Provide proof of insurance described in Section 2.7? Are you expecting policy #, carrier, etc.?

Answer: A Certificate of Insurance including policy # and carrier is the required format.

69. **Question:** Are we able to provide the State of Maryland additionally insured endorsement upon contract award?

Answer: Proof of the change may be provided now or at must be provided prior to award. However, a delay may result in disqualification.

70. **Question:** Will you notify us about required property and casualty insurance minimum coverage limits upon contract award?

Answer: We only require that you carry the types of coverage specified in Section 2.7 of the RFP. Specific insurance limits may be required at the TORFP level.

71. **Question:** Do we need to include Remarks section (ref page 2 of RFP) in our Technical Proposal Volume I?

Answer: The Notice to Offers/Contractors is not a requirement.

72. **Question:** What are the documents/evidence required to claim Maryland's Living Wage Law exemptions for "Bidder/Offeror employs 10 or fewer employees and the proposed contract value is less than \$500,000"?

Answer: See Code of Maryland Regulations 21.11.10.5.G.

73. **Question:** Regarding the submission of proposals, can we hand deliver our proposals? If so, what arrangements, if any, do we need to do beforehand delivery and what address do we hand deliver to?

Answer: Proposal delivery information is in the Key Information Summary Sheet on page iii of the RFP. Special arrangements are not necessary.

74. **Question:** Regarding Section 1.32 Payment by Electronic Funds Transfer on page 11, do we need to register prior to proposal submission or upon award of a master contract or upon award of a task order?

Answer: Upon award of a task order agreement.

75. **Question:** Regarding the insurance requirements in section 2.7 Insurance Requirements on page 33, we have insurance necessary to satisfy sections 2.7.1 and 2.7.2, and can submit certificates as required in section 2.7.4, but at what point do we need to add the State of Maryland as an additional named insured – prior to proposal submission or upon award of a master contract or upon award of the first task order?

Answer: Proof of the change may be provided now or at must be provided prior to award. However, a delay may result in disqualification..

76. **Question:** Regarding Section 3.4.2.6 Required Submissions on page 83, since you do not want these attachments edited, do you prefer that we print them out from the attachments file, sign them, then insert them into our proposal in the appropriate section, or do you want us to import the text into the proposal to match the proposal formatting (headers/footers, page numbers, etc.) before printing out the entire proposal and signing them?

Answer: They should be printed and signed.

77. **Question:** Attachment D-1A is requested in Section 3.4.2.3 Offeror General Information on page 82 and again in Section 3.4.2.6 Required Submissions on page 83. Do you want this attachment submitted in both sections, or in just one of the sections? If you want the attachment submitted in just one of the sections, which section do you want the attachment submitted?

Answer: See Question 41.

78. **Question:** When do you expect to notify contractors that they have either received or not received an award?

Answer: We do not have an anticipated award date at this time.

79. **Question:** In order to develop accurate pricing for Attachment F-A1, what date or year should we use for Year 1?

Answer: Please use the information provided in Section 1.5 of the CATS+ RFP.

80. **Question:** If Offerors choose to return the Notice to Offerors/Contractors with their bid, where should Offerors include this form within their proposal responses? For example, can this document be included directly following the Transmittal Letter?

Answer: Yes, this would be fine.

81. **Question:** The RFP states under the Master Contract Duration that the termination date is July 31, 2027, but Attachment A (under “Time for Performance”) advises an ending date of June 30, 2027. Could the State please clarify the difference between these two sections or the exact end date of the CATS+ contract?

Answer: Attachment A is provided as an example and will be updated prior to award. Please use the duration provided in Section 1.5 of the RFP.

82. **Question:** The RFP states “The Technical Proposal shall begin with a title page bearing the name and address of the Offeror and the name and number of this RFP.” However the instructions appear to require the Transmittal Letter to be included before the title page. Can the State please clarify the order of these documents?

Answer: The Transmittal Letter is not part of the bound proposal and should be provided before the title page.

83. **Question:** Section 4.5.2.3 page 85 of the RFP references the financial proposal being evaluated separately from the technical evaluation. In Attachment E, question 3, on page 126 advises that “Labor category pricing is not part of the evaluation criteria at the Master Contract level”. Does this mean that the labor category pricing is not used as a measure of approving an Offeror for qualification in the CATS+ contract?

Answer: That is correct. The financial proposal will only be evaluated for completeness.

84. **Question:** Attachment F (Price Proposal Form Instructions), states in section “A”, on page 141 that “Offerors **MUST** propose to **all** labor categories regardless of their ability to fill positions for that labor category”. We understand that the State wants Offerors to propose all labor categories, but some of the categories the State is requesting vary significantly from the work we perform, and we have no way to properly price these labor categories. Is the State amenable to allowing vendors to propose N/A for these categories?

Answer: CATS+ proposals will not be evaluated financially. All Offerors **MUST** propose labor rates for all labor categories to be eligible for award.

85. **Question:** We respectfully request that Section 6.8 of Attachment A (CATS+ Contract) be modified to read as follows:

6.8. Unless otherwise agreed to by the parties in a Task Order Agreement, Notwithstanding anything to the contrary in Section 6.7, to the extent (a)(i) the Work Product incorporates any COTS and/or any Pre-Existing Intellectual Property or (ii) any COTS and/or Pre-Existing Intellectual Property is required to access, install, build, compile or otherwise use the Work Product and (b) such COTS and/or Pre-Existing Intellectual Property has been identified in the Contract (such COTS and Pre-Existing Intellectual Property individually and collectively referred to herein as “Third Party Intellectual Property,” which shall be the sole property of Contractor or its third party licensors, as applicable), Contractor hereby grants, on behalf of itself and any third party licensors, to the State a royalty-free, paid-up, non-exclusive, unrestricted, unconditional, irrevocable, perpetual, worldwide right and license, with the right to sublicense, to use, execute, reproduce, display, perform, distribute copies of, modify and prepare derivative works based upon, such Third Party Intellectual Property as may be necessary for the State to use the Work Product for the purposes for which such Work Product was designed and intended, including, but not limited to, the State’s right to provide such Third Party Intellectual Property, in connection with the Work Product, to other third parties. [...]

Rationale: By stipulating upfront that all COTS and pre-existing software incorporated in a Work Product be subject to the licensing rights set forth in Section 6.8, the State may unintentionally prevent Contractors from leveraging such software on its behalf. Indeed, the license grant specified in Section 6.8 is very broad. For example, it is not industry practice to provide distribution rights and/or an ability to create derivative works based on COTS software. In its current form, Contractors may have no choice but to “no-bid” on task orders mandating the incorporation of COTS, if the stated licensing rights are not commercially available. We suggest a slightly more flexible contract model that allows Contractors to call out, on a deal by deal basis, specific licensing restrictions that may apply on particular software products. The license rights would obviously be negotiated with the State, and would be documented in a Task Order Agreement. It would also behoove Contractors to call out any licensing restrictions in their task order proposals to the State. Would the State be open to this change?

Answer: No.

86. **Question:** "Consulting and Technical Services + (CATS+)", is this particular bid open for all the vendors? Can we response to this proposal request?

Answer: The CATS+ RFP is open to anyone that meets the requirements of the RFP.

87. **Question:** Is this RFP is only for vendors holding any particular State Term Contracts?

Answer: See Question 86.

88. **Question:** Section "3.4.2.3 Offeror General Information", Item 2.b states that a Certified Financial Statement should be included. Is it adequate if we include the financial statements generated by our accountant?

Answer: Yes, if it includes the requisite certification.

89. **Question:** Insurance - Please let us know the name and department and address on whom the Certificate of Insurance can be made as an Additional Insured.

Answer: Please use the information provided in Section 1.7 of the CATS+ RFP.

90. **Question:** Transmittal Letter – May we request you to email us the template of this letter

Answer: The State will not provide a template.

91. **Question:** Do we need to submit the worksheet F-A2 with our Financial proposal? Since we are not telecom provider and hence the question.

Answer: Per Section 3.5 of the RFP, only Functional Area 9 requires the submission of Attachment F-A2.

92. **Question:** During the term of the CATS+ Master Contract, occasional circumstances could arise where the terms of the Master Contract are not completely appropriate to support the requirements of particular TORFP. Can the contract terms for a particular TORFP be modified to suit its circumstances or are the terms and conditions in the Master Contract uniformly applicable to all TORPFs, regardless of circumstances, throughout the life of CATS+? To what extent can the Master Contract terms be amended and/or negotiated to account for unforeseen exceptions to contract terms applicable to a particular TORFP?

Answer: The terms and conditions of the Master Contract will remain unchanged throughout the duration of the contract.

93. **Question:** Do contractors have to provide labor category pricing for labor categories which don't apply to the functional areas proposed by the contractor? We are proposing 2 functional areas and thus will only require a small subset of the total number of labor categories.

Answer: Offerors must provide rates for ALL labor categories to be compliant with the requirements of the RFP.

94. **Question:** What contract number do we provide in the space called “Contract No.” when submitting the Attachment I – Living Wage Affidavit of Agreement?

Answer: The CATS+ Contract #060B2490023.

95. **Question:** With regards to Insurance Requirements to be submitted with proposal, is it acceptable to have an example submitted at the time of RFP submittal, representing what ultimately will be submitted to the state prior to commencement of any work on a future TO? We are assuming the State does not have to be an additional named insured on a policy at time of submittal, is this correct?

Answer: Proof of the change may be provided now or at must be provided prior to award. However, a delay may result in disqualification.

96. **Question:** We have received feedback from our Insurance provider that the Insurance requirements in section 2.7 are too vague for them to provide a certificate of Insurance for our proposal. Could DoIT provide an exhibit/sample of a Certificate of Insurance that provides the minimum values that must be covered?

Answer: We do not have specific coverage amount requirements at the Master Contract level. More specific insurance requirements may be requested at the TORFP level.

97. **Question:** In item 4 of Section 3.4.2.4 Past Performance, the state requests past performances “...with any government entity of the State of Maryland.” Does this include Local Government (such as county government) and quasi-government (such as the Washington Suburban Sanitary Commission)?

Answer: No, this refers to State agencies. Local government and quasi-government would be considered “other” experience.

98. **Question:** Are potential bidders able to review the current CATS II contract rate card? If so, can DoIT supply the information or a link to it?

Answer: This information is available on the DoIT website.

99. **Question:** Can the department provide any general architecture specifications within its’ purview or describe the technical environment standards deployed across the prospective client agencies? We would like to get a better idea of the technical (computer) skills that may be requested under a resulting TO in an effort to provide a more accurate price proposal.

Answer: Information provided for each Functional Area is an example of the type of work that may be competed through this contract. Specific scopes will be developed by agencies.

100. **Question:** What other possible work site locations beyond the centralized Annapolis, MD area fall within the purview of this request?

Answer: Most work would fall in the Baltimore-Washington metro area.

101. **Question:** Can the department clarify the location of or otherwise provide the “Proposal Registration Form”? I’ve followed the RFP instructions listed in Section 3 of the request to the departments’ web site, but was not successful in locating the form.

Answer: The form is available at <http://doit.maryland.gov/contracts/Pages/bids.aspx> by clicking the CATS+ link.

102. **Question:** Are there any recent or pending legislation changes which may significantly alter the contents, definitions, size or scope of the subject request?

Answer: We are unaware of any such changes at this time.

103. **Question:** Could you clarify Enterprise Service Provider – does this include gap/fit analysis type of work?

Answer: Information provided for each Functional Area is an example of the type of work that may be competed through this contract. Specific scopes will be developed by agencies.

104. **Question:** We do not intend to bid any category related to Towers – functional areas 12 through 14. However, in the first Q&A amendment, the answer to question # 8 indicated vendors MUST quote a maximum rate for ALL services. Is it acceptable to simply indicate N/A on the pricing sheet for titles and/or categories to which we’re not responding? Or, would the state prefer the quoted rate for non-bid categories to reflect “0”?

Answer: CATS+ financial proposals will only be evaluated for completeness. All Offerors MUST propose labor rates for all labor categories to be eligible for award. A response of “N/A” or “0” would be considered non-responsive.

105. **Question:** Do I have to register as an interested vendor?

Answer: Please follow instructions in Section 1.11 of the CATS+ RFP.

106. **Question:** Is it acceptable to enter escalation formula(s) into the attachment F Price Proposal? e.g., it is more efficient and eliminates data entry errors to use escalation factors vs. manual data entry for all 100+ labor categories for 15 years. (1500 data entries)

Answer: Yes.

107. **Question:** Per the RFP (page #82, #4), we are to include all contracts held, within the past five years, with any government entity of Maryland. Do you want a complete listing of each and every contract or would you prefer we do a listing per agency with the reference information?

Answer: This listing should be provided by Functional Area as described in Section 3.4.2.4 of the RFP.

108. **Question:** The Excel spreadsheet entitled “CATSPlusAttachFPriceFmA” does not include column or row totals. Is it acceptable that we add column and/or row totals including the calculations for such, as this would effectively alter the spreadsheet?

Answer: Do not alter the spreadsheet. There is no need for column or row totals since the only financial evaluation will be for completeness.

109. **Question:** If we follow the RFP instructions and order; is it OK to add subsection content? If so, are any sections excluded?

Answer: Yes, you may add subsection content. No, there are no exclusions.

110. **Question:** Which Required Submissions must be original signatures? Are copies of the required submissions ok to submit?

Answer: You must provide original signatures in the bound original copy of the proposal for all items in the Required Submission Section 3.4.2.6 that require signatures. Additionally, original signatures must be provided for any applicable Financial proposals.

111. **Question:** Is it ok to submit a transmittal letter with Volume II – Financial Proposal?

Answer: Yes.

112. **Question:** Since pricing must be submitted for all labor categories is it acceptable to propose the same ceiling rate for all categories and then submit lower pricing during TORFP responses? I saw this practice used for CATS II ... will our proposal score suffer if this practice is used?

Answer: You may propose any ceiling rate in response to this RFP and submit lower pricing in response to a TORFP. At the Master Contract level there is no proposal score. We will only evaluate Financial Proposals for completeness.

113. **Question:** If a Master Contractor plans to use one of their regular subcontractors for one of the FAs, can the Master Contractor use the subcontractor's past performance/experience without identifying the subcontractor?

Answer: No.

114. **Question:** During an expansion window will existing Master Contractors be allowed to update the rates provided in the cost proposal?

Answer: No.

115. **Question:** According to the RFP, the order of documents goes Transmittal Letter, Title Page, and then Table of Contents. The RFP states “All pages of both proposal Volumes shall be consecutively numbered from beginning (Page 1) to end (Page “x”).” Does this mean the

Transmittal Letter is to be Page 1, the Title Page is Page 2, and the Table of Contents is Page 3? Or should the page numbering start with the Table of Contents as Page 1? Please verify.

Answer: DoIT will accept either approach.

116. **Question:** Do the attachments required for “Section 3.4.2.6 – Required Submissions” need to be page numbered? Are we allowed to put them into our template or should we keep them in the State’s format?

Answer: They should be left in the State’s format and printed, signed, and scanned.

117. **Question:** Attachment D-5: This report asks that the Master Contractor to “List dates and amounts of any outstanding invoices” There is no definition of what constitutes an outstanding invoice. Attachment D-6: Asks the subcontractor to “List dates and amounts of any unpaid invoices over 30 days old.” It does not define invoice over 30 days old. It is probably desirable for the master contractor and the subcontractor to be reporting the same information in this field. Can these forms be changed so that the same information is being requested in both? Can a definition be given for the data required?

Answer: These forms are provided by the Governor’s Office of Minority Affairs and may not be altered.

118. **Question:** Attachment A, Section 4.2: This RFP says that “Payments to the Contractor pursuant to this Contract shall be made no later than 30 days after the State’s receipt of a proper invoice from the Contractor.” Perhaps the definition could include similar language “Outstanding invoices are those not paid within 30 days of receipt of a valid invoice”. Businesses send out their invoices on different schedules and sometimes fail to submit proper invoices. Both of these things can impacts when payment is due and could make it hard for both parties to agree when a specific payment is overdue. An alternative definition of overdue invoice might ignore the “receipt of a valid invoice” issues and define overdue invoices as those for which payment has not been received for service that was performed more than a month before the month the report is submitted.

Answer: Section 4.2 will not be revised.

119. **Question:** Both the D-5 and D-6 reports are to be submitted by the 10th of the month following the month the services were provided but they can be submitted earlier than that. The fact that the reports can be submitted with information as of different days makes it harder for the Master contractor and subcontractor to match up. It might be better for both reports to be as of a certain date such as 10 days after the close of the month in which case the due date might be changed to the 15th of the month. This should ensure that both parties are reporting on the same information. Could you consider replacing forms D-5 and D-6 with a running spreadsheet which will be more practical for all parties involved?

Answer: The MBE forms provided are required by the Governor’s Office of Minority Affairs.

120. **Question:** On page 33 or the RFP, section 2.7 Insurance Requirements you do not indicate specific amounts of insurance required. Please advise.

Answer: See Question 70.

121. **Question:** On page 82 or the RFP, section 2 “The examples(s) shall include the project name, the services provide, and the objectives satisfied.” Please define what you mean by objectives satisfied.

Answer: Please identify the purpose or scope of the project.

122. **Question:** Is part of the proposal requirements to complete and submit Attachment D-1 and Attachment D-2?

Answer: Attachments D-1 and D-2 would only be completed in response to a TORFP.

123. **Question:** Confirm that it is not a requirement to complete Attachment D-7 if our company is a certified MBE.

Answer: Attachment D-7 would only be completed in response to a TORFP.

124. **Question:** Is the completion of Attachment M – Performance Bond a requirement during the proposal process?

Answer: Please see Question 34.

125. **Question:** Within the Technical Proposal, is providing the statement “Our Company is not applying for Master Contract Status in this Functional Area” okay for particular areas we are not trying to obtain Master Contract status?

Answer: Yes.

126. **Question:** Do you require companies to submit resumes of individuals who would be fulfilling roles described within the proposal?

Answer: Resumes are not required at the Master Contract level.

127. **Question:** The RFP requires that “All pages of both proposal Volumes shall be consecutively numbered from beginning (Page 1) to end (Page “x”).” Can the financial documents such as annual reports and signed Attachment forms be excluded from the consecutively numbered requirement?

Answer: Yes.

128. **Question:** Attachment B mentions “the above business” in most of the subsections, but there is no place in the form to list the business name. Will the State issue a revised form or should we modify the form to include our business name in the first line, such as in the following example?

I HEREBY AFFIRM THAT:

I, _____ (print name), possess the legal authority to make this Affidavit on behalf of _____(business), the business for which I am acting.

Answer: Attachment B is dictated by COMAR and may not be altered.

129. **Question:** Is it the State’s intent to have each TORFP –those that are either over an estimated dollar value or those that will require greater than X number of resources- require a 20% MBE goal along with each of the sub-goals?

Answer: MBE goals and subgoals will be determined at the TORFP level based upon available subcontracting opportunities.

130. **Question:** Does the State foresee a substantial reduction in awards to small businesses (as primes as well as MBE-subcontracting) as a result of the new goal and sub-goals?

Answer: No.

131. **Question:** Is it feasible for us to bid, for example, on two complete functional areas and only a portion third functional area?

Answer: No.

132. **Question:** Paragraph 3. 5 indicates that offerors must propose pricing for all labor categories to be considered for Award. Can you provide direction for submitting Price forms when the offeror’s intent is bid on only 2-3 functional areas (and preferably for only the labor categories associated with those particular functional areas)? Will we be required to submit pricing for all labor categories?

Answer: CATS+ financial proposals will only be evaluated for completeness. All Offerors MUST propose labor rates for all labor categories to be eligible for award.

133. **Question:** When we looked for Business Registration on SDAT website, it took us to Comptroller of Maryland website for online registration application and this registration is for following business tax account - Income tax withholding account. We registered the business for income tax withholding account. Please confirm if this is the expected business registration as per Section 1.29 in the RFP. If RFP is referring to a different business registration, please provide details.

Answer: Please contact SDAT at 410-767-1184 or 888-246-5941 to confirm that you have filed the appropriate paperwork.

134. **Question:** Per item 3.4.2.3 Offeror General Information #2, can a company that was incorporated less than a year ago submit a proposal for CATS Plus? The company's personnel have more than 40 years of combined IT Consulting experience.

Answer: See Question 22.

135. **Question:** If offeror/vendor submits COTS product as a solution to one of the functional area, Does State require offeror/vendor to provide/submit "source-codes" for COTS products too?

Answer: Source codes would be handled at the TORFP level. In most cases, the State will require that these codes be held in escrow.

136. **Question:** In regards to Custom Software, is the State open to sharing joint ownership with the contractor so that both parties (the State and the contractor) shall equally own all right, title and interest in and to all Custom Software Deliverables and all intellectual property rights subsisting therein?

Answer: No.

137. **Question:** It is clear that identical preference will be given to a Maryland Offeror, based on any preference given to a non-Maryland Offeror, in their respective state, with the most advantageous offer. Will a non-Maryland based Offeror with multiple principal sites or base of operations, only be subject to the state preferences of the location providing the majority of the services under the contract? Also, must the location providing the majority of the services under a given contract be identified in any response to a specific procurement? If through law, policy or practice in the state used to grant preference allows for the non-state based organization to counter any preference given to a state based organization, will Maryland follow that practice?

Answer: The State intends to comply with the statutes, regulations, etc. that apply to preferences under the relevant legal requirement.

138. **Question:** If a Master Contractor proposes additional functional areas during an Expansion Window, can the Master Contractor supply revised labor rates for any of the labor categories along with the Expansion Window proposal?

Answer: No.

139. **Question:** Can we provide proof of sufficient insurance with our proposal (e.g., a copy of the insurance Policy Declarations, which lists insured company, term dates, and coverage/limits), but not provide certificates of insurance until actual award? If we must provide insurance certificates with the proposal, does the state have to be on the certificates as additional named insured at the time of the proposal, or can we add the state as additional named insured after award and re-send revised certificates then?

Answer: Proof of the change may be provided now or at must be provided prior to award. However, a delay may result in disqualification.

140. **Question:** Must the state be named as “additional named insured” or can the state be named as “additional insured” instead? These terms have different cost and liability implications for the policy owner.

Answer: The State must be named as an “additional named insured” as stated in the RFP.

141. **Question:** Does retainage apply to service contracts, or only to construction contracts?

Answer: Retainage would be determined at the TORFP level.

142. **Question:** If a Master Contractor becomes MBE certified after their CATS+ award, can this status be added to the Master Contractor’s record so they can be considered as an MBE-certified business for subsequently issued TORFP’s?

Answer: Yes.

143. **Question:** Section 3 - Proposal Format, Section 3.2 Proposals in the second sentence states, " One unbound original..." Our question is about unbound. We usually put proposals in a binder but this states unbound so how do we submit? Do we staple? Do you want the proposal clipped? Not sure how to submit the proposal.

Answer: We will accept a clipped or rubber-banded proposal.

144. **Question:** Page 82 of the RFP states Section “3.4.2.3 Offeror General Information” should include “3. Attachment D-1A- CATS + Master Contractor Acknowledgement of Task Order MBE Requirements” and page 83 states Section “3.4.2.6 Required Submission” should include “2. Attachment D-1A- Completed, signed, and unedited CATS + Master Contractor Acknowledgement of Task Order MBE Requirements form” Please clarify where Attachment D-1A should be included in our proposal.

Answer: See Question 41.

145. **Question:** When it says unbound should the entire Volume-I should be just clipped with a paper clip or can we put it in a 3 ring binder and submit it?

Answer: See Question 143.

146. **Question:** Signed .PDF – where do we sign Volume-I other than the attachment forms. Where do you want us to sign Volume-II Financial Proposal?

Answer: Signatures would be provided in the Transmittal Letter, applicable attachments, and the signature area of any applicable Financial Proposals.

147. **Question:** The model contract states that the Parent Guarantee provision is required “If Applicable”. What factors will be considered by the State in order to determine whether the language is applicable for a particular vendor?

Answer: This determination will be made on a case-by-case basis.

148. **Question:** May vendors offer the State a standard parent guarantee, using the parent's form? We believe this is a preferable option for the State because it will require the parent company to actually sign the guarantee form.

Answer: The Parent Guarantee must be used as stated.

149. **Question:** It appears the Attachment A contract clause 6, regarding "Patents, Copyrights, Intellectual Property" has been significantly expanded from the same clause utilized in CATS II. Could DoIT please explain why?

Answer: Not at this time.

150. **Question:** Since the RFP and subsequently awarded contract covers so many functional areas (17 to which specific future task order projects are yet to be identified), and in conjunction with RFP section 1.1.3 that states, "... A TORFP, RFR, TO Agreement, or Proposal may not in any way conflict with or supersede the CATS+ Master Contract, would DoIT consider addressing the level of IP ownership required at each specific TORFP or RFR project (somewhat similar to how the level of Limitation of Liability is addressed at each TORFP/RFR) as opposed to an over reaching blanket approach that cannot be changed, updated or modified for 15 years?

Answer: No.

151. **Question:** Would DoIT be willing to negotiate or scale back the proposed language and IP ownership requirements under RFP section 6, "Patents, Copyrights, Intellectual Property" in the proposed contract?

Answer: The State cannot negotiate separate terms with Offerors.

152. **Question:** For each of the functional areas, is there a requirement to have past performance in all of the services under a functional area or is it sufficient if we have experience in some of the services under a functional area? E.g. Functional Area Three - Electronic Document Management - we do not have experience with document imaging but we have experience with document management and document workflow. Does this mean we cannot propose that functional area?

Answer: You must only display experience in some aspect of the Functional Area.

156. **Question:** In section 3.4.2 it is mentioned that the Technical Proposal shall be organized and numbered in the same order as the RFP. Does this mean that our Technical Proposal should have the following titles with section numbers?

1. 3.4.2.1 Cover page
2. 3.4.2.1 Table of Contents
3. 3.4.2.2 Executive Summary
4. 3.4.2.3 Offeror General Information

5. 3.4.2.4 Past Performance

1. Also, should the section numbers for the functional areas we are proposing be used?

6. 3.4.2.5 Insurance Submission

7. 3.4.2.6 Required Submissions

Answer: Yes.

153. **Question:** “At three (3) year intervals following the award of the CATS+ Master Contract, DoIT will announce an Expansion Window during which new Offerors may propose to become Master Contractors. Further, during an announced Expansion Window, DoIT will allow existing Master Contractors to propose to add functional areas to their Master Contract. Expansion Windows will continue through Year 12 of the Master Contract.” Do these 3 year intervals enable vendors on the Master Contract to make any market price adjustments to the labor rates provided in the initial RFP response over the 15 year life of the contract?

Answer: No.

154. **Question:** If the responder provides pricing for all labor categories, regardless of their ability to deliver that resource, is that response considered to be a commitment to provide the resource at the price quoted in the RFP response?

Answer: The pricing submitted in response to this RFP is a ceiling price. You may adjust that pricing downward in response to a TORFP.

155. **Question:** Functional Area Eight, Application Service Provider section requests information on software, hardware and networking technologies for many different hosted service-based applications. Providing pricing in this area would be quite difficult without additional information on the specific application, current hardware platform, number of users, customizations, and additional information around specifically what services are required. Given that this information is not available do you expect vendors to provide pricing in this area?

Answer: You must provide ceiling pricing. You may adjust that pricing downward in response to a TORFP.

156. **Question:** Is there a timeframe as to when the State of MD will be calling our references? We would like to inform our references of that timeframe.

Answer: Evaluations will take place through the Fall.

157. **Question:** We received an award of a contract in Maryland, however no work was ever done on it. Should such a contract be provided under the State of Maryland experience?

Answer: Yes, with a note indicating that work was not performed and why.

158. **Question:** Please confirm where in the proposal you want the MBE form. The RFP claims to want the form in 2 separate sections. Please clarify.

Answer: All Attachments may be included in an Attachments Section at the end of your proposal.

159. **Question:** May we submit our electronic version of the Technical Response in .pdf format instead of the MS Word format?

Answer: No. Only attachments, pricing and the Certificate of Insurance may be in .pdf format.

160. **Question:** May we submit our electronic version of the Financial Response in .pdf format only, instead of MS Excel and .pdf format?

Answer: No.

161. **Question:** On page 34 – Section 2.9.2: Can you please clarify where it reads "however, one person shall never perform duties of multiple labor categories at the same time in any given TORFP/RFR". Does this mean that if several categories under the 17 item scope are chosen, that no one person can perform work under 2+ categories at the same time - even if the work between categories overlap? For example, what if a person is qualified to do more than one task (i.e. development and evaluation) via credentials in software engineering and business administration, according to page 34 – section 2.9.2 would this person not be able to perform both development and evaluation under the same TORFP or RFR?

Answer: A proposed individual cannot perform work under multiple labor categories at the same time.

162. **Question:** Page 81 format question: Should the technical proposal start at section 3.4.2.1 because the instructions say it should be numbered the same as the RFP?

Answer: Yes.

163. **Question:** May an organization serve as a Master Contractor for several functional areas and at the same time as a subcontractor to a Master Contractor in different or same functional areas?

Answer: Yes.

164. **Question:** Please clarify, if an offeror only intends to submit one or several functional areas they are responsible only for the pricing of those labor categories as defined in those functional areas and not for labor categories outside of these functional areas. Or must the offeror in order to receive a Master Contractor award provide pricing to all positions as defined in Section 2.10 Labor Categories and Qualifications?

Answer: Offerors must provide rates for ALL labor categories to be compliant with the requirements of the RFP.

165. **Question:** If my organization has no interest in responding to Functional Area Thirteen – Tower Installation nor 2.3.14 Functional Area Fourteen – Tower Equipment Installation and Services to receive a Master Contractor award does my organization have to respond with labor category rates for these functional areas?

Answer: Offerors must provide rates for ALL labor categories to be compliant with the requirements of the RFP.

166. **Question:** If an organization is unable to provide resources for a labor category please clarify how does DoIT suggest offerors to propose prices for all labor categories.

Answer: Financial proposals will only be evaluated for completeness. Offerors must provide rates for ALL labor categories to be compliant with the requirements of the RFP. Please use care in determining your ceiling labor rates.

167. **Question:** If a Master Contractor proposes information technology to include software in their future TORFP response that is Section 508 compliant, will this satisfy The Non-Visual Access Clause noted in COMAR 21.05.08.05?

Answer: Master Contractors must meet the requirements in the Non-Visual Access Clause noted in COMAR 21.05.08.05

168. **Question:** There does not appear to be a Section 2.12 of the RFP. Is this a typographic error? Did the DoIT mean to state Section 2.10 Labor Categories and Qualifications?

Answer: Yes, see Amendment #1.

169. **Question:** In Attachment F-A1- Labor Rate Schedule, please clarify what the value is in column A related to? e.g. 5 - Analyst, Computer Software/Integration (Senior); 9 - Analyst, Computer Systems (Junior)

Answer: Column A represents the CATS II Labor Category number. This is provided for agency and incumbent reference.