



**Questions and Answers No. 1  
Request for Proposal 060B2490021-2015  
Commercial Off-the-Shelf Software (COTS)  
November 24, 2015**

Ladies/Gentlemen:

This list of questions and responses is being issued to clarify certain information contained in the above referenced RFP. The statements and interpretations contained in the following responses to questions by potential Offerors are final and binding to the State. Nothing in the State's response 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.

1. Our products are not available via CD or traditional mailable format. Will product key and downloads be an acceptable form of Software delivery to the State?

**RESPONSE: This is under consideration by DoIT and, if approved, will be documented in an amendment to the RFP.**

2. Will the State accept a Hosted solution that has both initial license cost and ongoing transactional costs (Not a Software as a Service)?

**RESPONSE: No, the Master Contract is for COTS only and does not include hosting.**

3. In the Pre-Proposal meeting it was discussed the Installation cost can be no more than 49% of the Software License cost. The question is will products that are more than 49% be automatically rejected?

**RESPONSE: With regard to Functional Area II – Installation and Training Services, if services exceed 49% of the total value of the PORFP, then the installation services would have to be purchased separately from the software via another procurement vehicle.**

4. Can the State better define the difference between Installations vs. Implementation of Software, so we may better understand the delineation for this procurement?

**RESPONSE: Implementation includes the deployment and testing of the final system, usually at the user (field) site after extensive customization. Per RFP Section 2.4.1, Installation services are limited to the installation of the COTS software with only the configuration necessary to ensure that the COTS software operates properly in the Requesting Agency's environment. Installation requirements will be defined in the PORFP, but do not include customization or installation-specific enhancements.**

5. As the manufacturer and not distributor of multiple Software Products would the State accept the following format for categorization in the technical and pricing volumes:

Manufacturer	Product Name	Product Categorization	License Cost	Transaction Cost (if applicable)
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**RESPONSE: Responses are to be submitted in accordance with RFP Section 3.4, specifically 3.4.2.2 and 3.4.2.3. Technical proposals shall not include any pricing information.**

6. Does the MD DoIT COTS Master Contract permit Master Contractors to sell hosted (not - on premise) software solutions to State Agencies through an Agency PORFP?

**RESPONSE: No, the Master Contract and any resulting PORFPs are for COTS only. Please see the response to Question #2.**

7. Can a Master Contractor on the MD DoIT COTS Master Contract sell hosted software solutions to State Agencies under any scenario?

**RESPONSE: Hosted solutions will not be procured under the COTS Master Contract. If a State agency or unit determines that it requires a hosted solution, then it will procure those services under a separate contract.**

8. Is there a distinction between hosted software and SaaS solutions in the MD DoIT COTS Master Contract?

**RESPONSE: Neither are for purchase under the Master Contract.**

9. Is electronic download by an Agency of COTS software from a Master Contractor's website an acceptable method of delivery, or is delivery method limited to the mailing of disks to an Agency? We ask because electronic downloads are more expeditious, efficient and a lower risk method of receiving the product(s).

**RESPONSE: Please see the response to Question #1. This is under consideration by DoIT and, if approved, will be documented in an amendment to the RFP.**

10. Is the requesting State Agency obligated to send a PORFP to all Master Contractors on the MD DoIT COTS Master Contract that are qualified to fulfill the State Agency's need (SOW)? E.g. accounting software versus activity tracking software where only one subject matter applies.

**RESPONSE: The Requesting Agency is required to send a PORFP to all eligible Master Contractors within a given Functional Area who are authorized to sell the desired manufacturer product line. When a Requesting Agency uses only generic specifications, a PORFP must be sent to all eligible Master Contractors for all manufacturers in a Functional Area. Full procedures for issuing a PORFP can be found in RFP Section 2.8.1, PORFP Procedures.**

11. How does a requesting State Agency determine which Master Contractor will receive a PORFP and ensure that the government's needs will be addressed thereby assuring that Master Contractors will compete for opportunities that are in their wheelhouse?

**RESPONSE: Please see the response to Question #10.**

12. Will MD DoIT allow a respondent to substitute past performance for Federal clients, if there is no past performance for Maryland Agencies?

**RESPONSE: RFP Section 3.4.2.5, Section A, Offeror Experience and Capabilities does not restrict past performance to Maryland Agencies. Federal or commercial experience may be used to meet the past performance requirements of the RFP.**

13. When does the MD DoIT require that the State Agency's PORFP be reviewed and or approved by the MD DoIT?

**RESPONSE: The entire PORFP procedure can be found at the following location:  
<http://doit.maryland.gov/contracts/Pages/COTS2012PORFPProcedures.aspx>.**

14. When would a State Agency's offer or decision to offer require approval by the MD DoIT? Would there be any situation where this review or approval would affect the final award?

**RESPONSE: Please see the response to Question #13.**

15. Is there any step in the acquisition process that MD DoIT reviews, approves, or otherwise participates in a State Agency's COTS purchasing process?

**RESPONSE: Please see the response to Question #13.**

16. Section 1.1.2 of the MD DoIT COTS RFP introduces, "three (3) functional areas" while on page 33 section 3.3 there is a reference to, "(4) Functional Areas". Is the reference on page 33 referring to another functional area, or is the reference merely a typo?

**RESPONSE: RFP Section 1.1.2 is correct - there are three functional areas. Amendment #1 to the RFP will be issued with a revision to RFP Section 3.3, Paragraph 3.**

17. On the Key Information Sheet (ii) of the MD DoIT COTS RFP, the Proposal Due Date and Time line shows the time as 20:00 PM. The MD DoIT website shows the time as 2:00pm. Please confirm the Proposal Due Date and Time.

**RESPONSE: Please see Amendment #1 for the proposal due date and time.**

18. What is the difference between this solicitation and what is called PORFP? Is a PORFP essentially just a request for a quote to a company that has already received an award?

**RESPONSE: Solicitation #060B2490021-2015 was released for the purpose of establishing a pool of Master Contractors who are qualified to perform in the functional areas listed in**

**RFP Section 1.1.2. Master Contracts will be awarded to an unlimited number of qualified Offerors. Once a Master Contract has been awarded, a Master Contractor is eligible to participate in secondary competition for specific work to be performed based on the needs of Requesting Agencies. A PORFP is a secondary solicitation that issued to award that specific work in accordance with the procedures in RFP Section 2.8 PORFP Procedures.**

19. What is to be done with the “Item Information” listed on the website, but not in the RFP?

**RESPONSE: Please clarify the question.**

20. The manufacturer does not allow for returns of opened software, only exchanges, since it is a piracy issue. We are, however, permitted to exchange defective software with another copy of the same version. Are we just expected to accept back nondefective software we then have no chance of reselling?

**RESPONSE: Yes.**

21. Where, exactly, are prices for software to be specified? Or does that only happen once a PORFP is received?

**RESPONSE: Please refer to RFP Attachment F-1 – Functional Area I. Attachment F-1 is to be submitted with the Financial Proposal by an Offeror committing to provide pricing no higher than the MSRP as of the date of the PORFP proposal submission. The actual pricing for the COTS software shall be submitted by the Master Contractor in response to a PORFP.**

22. 3-day delivery? What if something is backordered?

**RESPONSE: In the event a Master Contractor cannot meet the 3-day delivery requirement, the Requesting Agency would determine whether it is willing to wait for a backordered item.**

23. Can a minimum number of hours be set for onsite training/installation? It can be a long trip to work for just an hour or two.

**RESPONSE: Onsite training and installation requirements will be provided in each PORFP for Functional Area II and are established based on the needs of the Requesting Agency. Upon receipt of a PORFP, a Master Contractor must make its own business determination regarding its desire to respond to the PORFP.**

24. “Equivalent” non-visual access: Many kinds of software (such as Microsoft Office) can be used by visually-impaired people, but do not themselves supply such built-in capacities as a screen-reader or a Braille keyboard. Usually these soft- and hardware items are add-ons. Does the software itself

have to supply 100% of the visual access? Please clarify what this requirement means in terms of software.

**RESPONSE: The software must meet the requirements of RFP Section 1.30. Additional information regarding Non-visual Accessibility requirements can be found at [www.doit.maryland.gov](http://www.doit.maryland.gov) – keyword: NVA.**

25. Labor categories - What do you call value-added resellers of software who lack the educational background stipulated in any category (e.g. computer science, engineering), but who have been successfully training people to use the software for 10-20 years? The closest is Training Specialist/Instructor, but most don't have the educational background in the specific fields mentioned, nor do they conduct formal classroom courses – rather, it's usually just one-on-one training in the use of the software. Where would they fit in?

**RESPONSE: RFP Section 2.12.1, Letters (E), (F) and (G) provide specific instructions for substitution of education for experience and experience for education. It is recommended that Master Contractors ask questions at the PORFP level to determine whether substitutions for experience and/or education be considered.**

26. 3.4.2.3 – B What does this mean? “Manufacturer POC and alternate for verification”

**RESPONSE: Offeror must provide both a primary Manufacturer POC and an alternate Manufacturer POC, should it become necessary to verify a Manufacturer's Letter of Authorization.**

27. RFP Section 2.14 Travel Reimbursement Is a per diem provided for trainers who are at some distance from home and require lodging and/or meals?

**RESPONSE: The State does not provide per diem for lodging and or meals. Travel reimbursement as provided for in RFP Section 2.14 is for training and/or installation.**

28. RFP Section 3.3 – Submission “Each package should contain an unbound original, so identified and two (2) copies of the volume being submitted. An electronic version (CD or flash drive) of the Volume I- Technical Proposal in MS Word and PDF format and the Volume II- Financial Proposal in MS Word and signed PDF format shall also be submitted with the unbound original technical or financial volumes, as appropriate. Electronic media shall bear a label on the outside containing the RFP number and name, the name of the Offeror, and the volume number. “Each volume on a separate CD, or both together on one?”

**RESPONSE: Volume I – Technical Proposal and Volume II – Financial Proposal are to be packaged and sealed separately from each other. The Technical Proposal and Financial Proposal should be submitted on separate media. If an Offeror chooses to submit on CDs, two CDs must be submitted - one for the Technical Proposal and one for the Financial Proposal.**

29. Do current master contractors need to submit an RFP response or will the terms and conditions of COTS 2012 carry over to the new contract?

**RESPONSE: Current Master Contractors are already a part of the COTS program and are not required to provide a response to this RFP #060B2490021-2015. This RFP is only intended to permit new vendors to enter the COTS program.**

30. These days most of COTS product are available through download hence it does not require to have product CD to install the software, will DOIT or Agency will be able to access the URL link using internet and download the COTS software as per provided product documentation ?

**RESPONSE: Please see the response to Question #1. This is under consideration by DoIT and, if approved, will be documented in an amendment to the RFP.**

31. As per section 2.14 there will be no Travel Reimbursement for routine travel up to 50-mile radius. Need clarification on this. For example , if offeror person is visiting Agency for Training or installation or maintenance of the COTS product and total travel miles are 80 Miles ( to and from Master Contractor Facility). Will this classify as routine or non-routine travel ? how travel reimbursement will happen in this case ? How local travel is being reimbursement by DOIT/Agency ? Can you please clarify with example.

**RESPONSE: 80 miles round trip would be considered routine travel and no travel reimbursement would be made in this case. Only non-routine travel as defined in RFP Section 2.14 and as identified in a PORFP, if appropriate, would be reimbursed according to the State's travel regulations and reimbursement rates which can be found at [www.dbm.maryland.gov](http://www.dbm.maryland.gov) – keyword: Fleet Management.**

32. In Section 3.3 it is mentioned that "Offerors shall submit only one Technical Proposal and one Financial Proposal, even if proposing to all four (4) Functional Areas." Four (4) is this a typo ? as per scope in section 2.1 contains only 3 functional areas. Can you please clarify.

**RESPONSE: Please see the response to Question #16 above.**

33. Can you provide template for Transmittal Letter mentioned in Section 3.4.1?

**RESPONSE: No, please follow the instructions in RFP Section 3.4.1.**

34. In Section 3.4.2 says "In addition to the instructions below, the Offeror's Technical Proposal shall be organized and numbered in the same order as this RFP." Can you provide the clarification on this. Example would help.

**RESPONSE: The Offeror's Technical Proposal should be numbered to map with the sequence in the RFP. For example, the Offeror's Response to the Executive Summary requirement should be numbered 3.4.2.2 to map with the sequence in RFP Section 3.**

35. In Section 3.4.2 says "In addition to the instructions below, the Offeror's Technical Proposal shall be organized and numbered in the same order as this RFP." Does this mean in technical proposal should start numbering as 3.4.2.1? Can you please clarify.

**RESPONSE: Please see the response to Question #34 above.**

36. For the proposal submission it is mentioned that "Original Unbound Copy", can you please clarify with example.

**RESPONSE: The Original Unbound Copy should not be in a binder or bound by any means (i.e. rubber band, binder clip, etc.)**

37. What are the types of COTS Software expected for this RFI? Can you provide examples?

**RESPONSE: Examples cannot be provided. The current list of software available can be viewed on the Master Contract's website through the following link:**  
<http://www.doit.state.md.us/itmc/default.aspx?smc=12>

38. Can you provide template for Manufacturer's Letter of Authorization

**RESPONSE: No, follow the instructions in RFP Section 3.4.2.3.**

39. In Attachment F it is mentioned that "Record the hourly labor rate for all 15 years of the Master Contract for all labor categories.", this contract is for 12 hours, is this a typo ?

**RESPONSE: Yes, the contract duration is 12 years. Amendment #1 to the RFP will be issued with a revision.**

40. In Attachment F-2 it is mentioned that "NOTE: COMPLETING D-2 REQUIRES OFFERORS TO ALSO COMPLETE D-1 FOR THE CORRESPONDING SOFTWARE AND/OR D-3 FOR MAINTENANCE? Please clarify what D-1 or D-2 or D-3 means.

**RESPONSE: Attachment F should read as follows: NOTE: COMPLETING F-2 REQUIRES OFFERORS TO ALSO COMPLETE F-1 FOR THE CORRESPONDING SOFTWARE AND/OR F-3 FOR MAINTENANCE. Amendment #1 to the RFP will be issued with a revision.**

41. In the Financial Proposal, for Functional Area II - there is Attachment F-2 where labor category is mentioned to display prices, however for Functional Area I and III , could not find similar table or Attachment where prices can be provided, can you please clarify how to mentioned the prices for Functional Area I and III ?

**RESPONSE: There is no pricing required for Functional Areas I and III, only the COTS Software MSRP Commitment forms (F-1 and F-III) are required.**

42. In the Financial proposal, Functional Area I, II and III prices needs to be fixed for entire period of 12 years? Can you please clarify and provide guidance for pricing.

**RESPONSE: For Functional Areas I and III, Offerors must agree to provide pricing throughout the 12 year term of the contract at no higher than MSRP (as of the date of submitting a response to a PORFP). For Functional Area II, labor rates for Installation and Training services must be provided at rates no higher than the ceiling rates proposed in Attachment F-2.**

43. If offeror has more than one COTS products, do they need to submit Attachment F-1 for each individual product or all products needs to be consolidated into just one Attachment F-1. Can you please clarify.

**RESPONSE: Only one Attachment F-1 is required with a RFP response. Offerors are to list all proposed manufacturers of the COTS software on a single Attachment F-1, attaching additional sheets if needed.**

44. In Section 1.5 Master Contract Duration, the period is beginning on December 1, 2015 while in Attachment F-2 says continues until July 2015 and year 2 starts from Aug 2015. Can you please clarify which one is correct.

**RESPONSE: The dates listed in Section 1.5 and Attachment F-2 are estimates only. Depending on when the contract is awarded, the contact term will be for a full 12 years.**

45. Is the contract intended for a single reseller which offers product lines from multiple manufacturers? Would a reseller that only offers one major software manufacturer's products/services be considered?

**RESPONSE: The COTS program will consider resellers for both single and multiple manufacturers, provided the reseller submits the required manufacturer authorization.**

46. What is the planned mechanism for a contract holder to relay the specific software license terms and conditions to agencies that purchase software? Our software is not licensed on a click-wrap basis so we would generally include our license terms as an exhibit to the contract. Is this allowed under the proposed contract?

**RESPONSE: Please refer to RFP Section 2.8.2(K) for guidance on PORFP submission requirements.**

47. Is the COTS software contract up for rebid or is the RFP available for new partners to be added.

**RESPONSE: The purpose of RFP #060B2490021-2015 is to offer an opportunity for new Offerors to propose to become Master Contractors in the COTS program.**

48. We do not provide separate training services but do provide installation of software through the manufacturer. The price for installation is an MSRP from the manufacturer, if those services are requested. In this case, do we need to complete, ATTACHMENT F-2 - Functional Area II Installation and Training Services Labor Rate Schedule?

**RESPONSE: If you intend to submit a proposal for any services that are part of the scope of Functional Area II, then you must submit Attachment F-2.**

49. RFP Section 2.7 (Procedure for Adding a Manufacturer's Product Line) – Please confirm that Master Contractors can propose to add product lines from a manufacturer that was not a part of the Contractors initial contract award. In other words, will the state allow for Contractors to propose new Manufacturer's product lines?

**RESPONSE: Yes, please refer to RFP Section 2.7 Procedures for Adding a Manufacturer's Product Line.**

50. Attachment F-3 – Functional Area III (Manufacturer's Software Maintenance MSRP Commitment)  
- Does the state want to see a list of the software maintenance items being proposed, by manufacturer, or will manufacturer name suffice?

**RESPONSE: Please provide the manufacturer name only.**

51. General RFP – Will the state allow for Contractor's to name dealers or agents to issue quotes, accept orders, and invoice to eligible customers under the Contractor's contract award?

**RESPONSE: No. All PORFP responses must come directly from the Master Contractor.**

52. General RFP – Does the state want contractors to include each proposed-manufacturers' End-User License Agreements (EULAs) with the contractor's proposal response? Otherwise, please confirm that manufacturers' EULAs will be a deemed a part of the contract and negotiated at the PORFP stage.

**RESPONSE: No, the EULAs are not required for the proposal at the Master Contract level. However, please refer to RFP Section 2.8.2(K) for EULA submission requirements at the PORFP level.**

53. The RFP requires that Offerors provide three examples of the Offeror's organization experience, type of COTS software and/or services provided and the length of time the organization has been providing the COTS software and/or services. Would it be possible to provide us one business example to guide our response as to the format and level of detail you would like included in our response?

**RESPONSE: No, please follow the requirements of RFP Section 3.4.2.5 A.**

54. Will the Maryland DoIT accept electronic signatures on the Forms that are required as part of the proposal submission?

**RESPONSE: No, the RFP requires a hard copy submission or with original signatures.**

55. RFP Section 2.8.1 states; "To be eligible for receipt of a PORFP, a Master Contractor must have accepted all updates to Contract terms and conditions promulgated by DoIT and must have executed valid contract modifications evidencing the same. Master Contractors who have not



accepted all applicable updates will not be eligible for receipt of subsequent PORFPs.” Please identify the types of “updates” that are referenced in this requirement.

**RESPONSE: Please refer to RFP Section 1.1.6**

Thank you,

Gayle Mealy  
Procurement Officer

End of Question and Answer # 1