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State of West Virginia Department of Administration Purchasing Division

NOTICE

Due to the size of this bid, it was impractical to scan every page for online viewing. We have made an attempt to scan and publish all pertinent bid information. However, it is important to note that some pages were necessarily omitted.

If you would like to review the bid in its entirety, please contact the buyer. Thank you.



State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

Pearson Vue Tom Magallanes Three Bala Plaza West, Suite 300 Bala Cynwyd, PA 19004-3481

Request for Quotation

INS11001

PAGE 1

ADDRESS CORRESPONDENCE TO ATTENTION OF

SHELLY MURRAY 304-558-8801

INSURANCE COMMISSION

SH H F T1124 SMITH STREET CHARLESTON, WV 25305-0540 304-558-3707

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Department of Administration
Purchasing Division
2019 Washington Street East
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SHELLY MURRAY 304-558-8801

INSURANCE COMMISSION

S H P 1124 SMITH STREET CHARLESTON, WV 25305-0540

304-558-3707

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Addendum No. 1

1. Page 5, Section 1.2 – The RFP states that the Administrator will be responsible for "(v) communicating with agents, including preparing and mailing continuing education handbooks...." Will the Administrator be required to create and produce a handbook for both providers and agents? Will the Administrator be required to print these handbooks?

Answer: The Administrator will be responsible for making available continuing education information for agents and providers on their website. Should the administrator change they will be required to notify all parties (agents and providers) of the change via a mailing. A postcard notice of the change would be acceptable (see question 8 below).

2. Page 14, Section 2.2 – The RFP states that the OIC averages 8,000 new CE course submissions annually. Could the State please confirm this number as it seems somewhat high?

Answer: The average is NOTcorrect; the annual average of new course submissions is 1,400. The 8,000 represents the average number of courses available. An adjustment will be made to the Annual Assumption in the Cost Bid Schedule lowering from 8,000 to 1,400. (See Attached)

3. Page 17, Sections 3.2.5 – Please clarify if the \$25 Continuing Education (CE) course fee is included in the current \$40 charge or if this is an additional fee beyond the \$40 charge??

Answer: Twenty five dollars is the statutory fee amount due the state of WV for each course review submission. The Administrator may quote an additional cost to cover their services. The \$25 is included in the current \$40 charge.

4. Page 17, Section 3.2.6 – Please clarify if the State plans to eliminate paper rosters. If not, will the State allow Offerors to submit two fees for Roster Processing on Attachment A – one for electronic rosters and one for paper rosters?

Answer: The State intends to eliminate paper rosters.

5. Page 17, Section 3.2.9 – Will the State allow the Administrator to provide written status notifications via email or is a mailing required? Please clarify whether additional notifications are required, and, if so, the type and frequency.

Answer: The State requires status notification be mailed to the agents mailing address 90 days prior to the end of a reporting period. Also refer to question #1 above regarding a change in Administrators. The Administrator will be responsible for a notice sent to funeral homes and telemarketing firms refer to question #6.

6. Page 17, Section 3.2.10 – Please clarify by what means and in what format the State is expecting the Administrator to distribute instructions to telemarketing firms and funeral homes.

Answer: Producers who sell only pre-need funeral insurance or only through a telemarketing firm engaged solely in telemarketing insurance products by a scripted presentation filed with, and approved by the Commissioner, may submit an affidavit and have their requirement reduced to six hours. Of those, at least 3 credits must be from courses categorized as Ethics. Approximately 6 months prior to the expiration of the bienium, the Administrator will be required to provide a notice to telemarketing

firms and funeral homes using a mailing list provided by the state (approx 350 funeral homes/telemarketing firms) asking them to remind their agents of the requirement.

7. Page 17, Section 3.2.13 – Is there a renewal currently required of courses and providers in West Virginia?

Answer: Courses that receive zero WV activity during a bienium expire. If a course expires, a new application with fee must be submitted for the course to be reviewed and approved for the next bienium.

8. Page 17, Section 3.2.18 – Will the new Administrator be expected to mail a postcard with this information to all 7,700 resident licensees? If not, could the State please clarify the requirement?

Answer: The new Administrator will be required to notify all parties (agents and providers) of the change and a postcard notification would be acceptable.

9. Page 18, Sections 3.2.18 – Please clarify if the State is expecting Administrators to print and mail informational packets to all candidates or just make them available on the Administrator's website?

Answer: The Administrator would need to make informational packets available on their website.

10. Page 18, Section 3.2.22 – How many annual audits does the State anticipate? How many of those audits are online courses? Classroom courses? Are the audits only to take place within the State?

Answer: The Administrator will create and maintain a means for monitoring the quality and compliance of the continuing education courses and investigate complaints regarding approved courses and programs. Respondents will be evaluated based on their proposals.

11. Page 18, Section 3.2.24 – Are the transcripts to be made available for PE course completions or only CE?

Answer: Continuing Education course only.

12. Page 19, Section 3.2.31 – What is the projected go-live or implementation date of the State Based System?

Answer: Tentatively scheduled for February 2011.

13. Is there a renewal currently required of courses and providers in West Virginia?

Answer: See response to question #7.

14. Are the transcripts to be made available for PE course completions or only CE?

Answer: See response to question #11.

15. What is the projected go-live or implementation date of the State Based System?

Answer: See response to question #12.

Cost Proposal Format/Bid Sheets

Cost Bid Schedule (Revised)

	Annual	Fee	Annual Amount
	Assumptions		(Assumption
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Continuing Education Course	1,400	\$	\$
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Review Fee			
Continuing Education Expedited	100	\$	\$
Course Review Fee			
Fee for Roster Processing (per	92,400	\$	\$
credit per student)			
Fee for Late Roster Submissions	924	\$	\$
(per credit per student)			
Pre-licensing Provider Application	3	\$	\$
and Course Review Fee	•		
TOTAL			\$
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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for Quotation

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SHELLY MURRAY

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INSURANCE COMMISSION

1124 SMITH STREET CHARLESTON, WV 25305-0540 3

304-558-3707

RFQ COPY
TYPE NAME/ADDRESS HERE
Pearson VUE, a business of NCS Pearson, Inc.
3 Bala Plaza West, Ste. 300
Bala Cynwyd, PA 19004

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GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.
- 15. LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
- 16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or Fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
- 5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



VENDOR

RFO COPY

TYPE NAME/ADDRESS HERE

State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for Quotation

ADDRESS:CORRESPONDENCE TO ATTENTION OF

SHE	LLY	MURRAY
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INSURANCE COMMISSION

SHIP Ö

1124 SMITH STREET CHARLESTON, WV 25305-0540 304-558-3707

FOB FREIGHTTERMS DATE PRINTED TERMS OF SALE SHIP VIA BID OPENING DATE: 2010 OPENING TIME 01.30PM 2010 UNITPRICE AMOUNT QUANTITY ITEM NUMBER LINE THE "REASONABLE TIME" PERIOD SHALL ORIGINAL CONTRACT NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT. RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO ONE (1) TWO (2) YEAR PERIOD. CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES Supplied are of an inferior quality or do not conform TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANS-PORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.) QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE Y BASED ON ESTIMATES SUPPLIED SEE REVERSE SIDE FOR TERMS AND CONDITIONS APPROXIMATIONS ONLY DATE SIGNATURE TELEPHONE TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE



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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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SHELLY MURRAY 304-558-8801

INSURANCE COMMISSION

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1124 SMITH STREET CHARLESTON, WV 25305-0540 30

304-558-3707

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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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Quotation	on

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SHELLY MURRAY

INSURANCE COMMISSION

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1124 SMITH STREET CHARLESTON, WV 25305-0540 304

304-558-3707

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Title Page

Should state the RFP Subject and number, the name of the Vendor, Vendor's business address, telephone number, name of authorized contact person to speak on behalf of the Vendor, dated and signed.

As per the RFP's instructions, we submit the following information:

Organization Name & Address

Pearson VUE, a business of NCS Pearson, Inc. 3 Bala Plaza West, Suite 300 Bala Cynwyd, PA 19004

Primary Contact Person including title, phone & fax numbers, and email address.

Terri Dunbar

Director, Proposals and Publications

Tel: (610) 617-5192 Fax: (610) 617-9301

terri.dunbar@pearson.com

Authorized Signature

This Proposal has been signed by Pearson VUE's Senior Vice President of Professional Services and General Manager of Regulatory Services, Arthur Valentine, who is legally authorized to contractually commit and bind the company to the terms and conditions of our proposal.

Arthur Valentine

Senior Vice President, Professional Services and General Manager, Regulatory Services