



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

# Request for Quotation

RFQ NUMBER  
 WWV10867

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 FRANK WHITTAKER  
 304-558-2316

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

SHIP TO

BUREAU OF EMPLOYMENT PROGRAMS  
 OFFICE OF ADMIN. SUPPORT-5302  
 112 CALIFORNIA AVENUE  
 CHARLESTON, WV  
 25305-0112 558-2634

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/22/2010				

BID OPENING DATE: 06/29/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
THIS ADDENDUM I ISSUED TO REPLACE SECTION 2.1 OF THE SPECIFICATIONS WITH THE ATTACHED REVISED LANGUAGE, PROVIDE THE TECHNICAL QUESTIONS & ANSWERS, AND TO EXTEND THE BID OPENING DATE AND TIME.						
THE BID OPENING IS EXTENDED TO: 06/29/10 AT 1:30 PM						
***** END ADDENDUM NO. 1 *****						
0001	1	LS		961-24		
COURT REPORTING SERVICES						
***** THIS IS THE END OF RFQ WWV10867 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE		TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

## 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*
8. 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](http://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)

2.1 The successful vendor will transcribe decision/orders from cassette tapes or digital recordings if telephone communication or other electronic means is unavailable due to malfunction of equipment. If vendor's equipment malfunctions, the equipment must be repaired with a maximum of three (3) working days. The cassettes shall be delivered via U.S. Mail to the successful vendor at the mailing address specified by the vendor, unless other arrangements are mutually agreed to by the vendor and the Board of Review. The successful vendor must be available for in-person pick-up of cassettes once a week. The pick-up location will be in the Charleston, West Virginia area. Mailing of cassettes is not acceptable because it could result in loss of data.

**Technical Questions & Answers for RFQ#WWV10-867****Subject: RFQ # WWV10867**

- Q1. A. Can you please provide the name of the current provider of the services required in this RFQ?**  
**B. What are the current rates being paid for the services required?**  
**C. If these services are currently provided under contract, when did the contract begin and when does it end?**  
**D. Have all extensions been exhausted?**

A copy of any current contract reflecting cost, effective dates and vendor for transcription services for our agency may be obtained through the WV State Purchasing Division.

- Q2. Can you provide the breakdown of the number (or the percentage) of hearings provided on cassette tapes and digital recordings over the past twelve months?**

Approximately 1,000 cassette tapes. Over the past 12 months digital recordings have not been utilized.

- Q3. Do the cassette tapes need to be returned to the agency?**

Yes

- Q4. Page 5 – Section 1.1 – “The completed transcript shall be printed on 8.5” by 11”, 20#, White Bond as “mini page” using four-to-a-page formatting compatible with MS Word 2007.” Will the successful bidder have to supply the transcripts of the hearings by email in electronic format, as well?**

No

- Q5. Page 6 – Section 2.1 – “Also, the vendor must be available for in-person pick-up of cassettes each day.” Would providing the agency with a Federal Express account for shipping be sufficient?**

Mailing of cassettes is not acceptable because it could result in loss of data. Pick of files and cassettes is made once per week. (see amended RFQ language)

- Q6. Page 6 – Section 2.2 – “The vendor must have the ability to electronically mail the typed decision/order to the electronic mail address provided by the Board of Review for printing at the local office within 48 hours or receiving the dictation.” This turnaround is specifically for decisions/orders. What is the turnaround time required for the transcripts of the hearings?**

One (1) week

- Q7. Page 8 – Section 3 – Cost Proposal – I understand that the estimated annual pages are for calculating purposes only, but the number of extra copies of the transcripts seems quite high (10 times the number transcript pages estimated to be produced). When are the requests for additional printed copies made (at the time of the transcription request or after the fact)?**

Generally, the Board will request the original transcript and two (2) copies of all transcripts at the time the request is made. However, the BOR will have the option of requesting copies as needed.

- Q8. Is RFQ# WWV10867 to be considered a replacement for RFQ# WWV10864?**

Yes

- Q9. Are there any opportunities for selling copies to the parties involved or is that not permitted?**

No

- Q10. What system and file type are you using for your digital dictation?**

Olympus DS-5000

- Q11. How heavily does the previous experience of a supplier factor into your decision making regarding the choice of a supplier?**

See Section 2.8

Vendor must have a minimum of five (5) years experience in doing legal and medical transcription.

- Q12. Are “key word indexes” considered billable pages or are such pages to be supplied by the vendor free of charge?**

“Key word indexes” are billable pages

**Q13. Who is the incumbent supplier of the services up for bid?**

A copy of any current contract reflecting cost, effective dates and vendor for transcription services for our agency may be obtained through the WV State Purchasing Division.

**Q14. What are the current per page rates being charged for:**

- a) transcribing hearings from cassette tapes or digital recordings?
- b) transcribing telephone dictation?
- c) typing of decisions/orders?
- d) documentation copying?

A copy of any current contract reflecting cost, effective dates and vendor for transcription services for our agency may be obtained through the WV State Purchasing Division.

**Q15. Section 2.2, item 1 specifies a 48 hour time frame for delivery of Decisions/Orders. What is the delivery time frame for Transcripts of Hearings?**

One week

**Q.16 Section 1.1, last sentence specifies delivery of printed transcript. Section 2.2, first Sentence specifies delivery of Decisions/Transcripts in Word 2007. Will electronic Transcripts of Hearings require the "mini pages" and word indexing or are these Requirements only for the printed transcript?**

The requirements are for both.

**Q.17 Will the Agency accept electronic transcripts in Adobe Acrobat PDF format in lieu of Word 2007?**

No

**Q.18 Is there an estimate to the number of cassette tapes currently being used on an annual Basis? Are the cassette tapes recorded in 4-track?**

Normally 1 cassette tape for each case, although there may be multiple cases on the same tape.

**Q. 19 Is the use of cassette tapes expected to remain through the span of the contract or is the Agency in the process of phasing out their use?**

Cassette tapes will be phased out in the near future.

**Q.20 Will the Agency accept contract courier in lieu of in-person-pick-up?**

Yes

**Q.21 Who is the current vendor and when does the current and any applicable extensions expire?**

A copy of any current contract reflecting cost, effective dates and vendor for transcription services for our agency may be obtained through the WV State Purchasing Division.

**Q.22 What is the current billing rate for the (4) line items specified in the RFQ Cost Proposal Sheet?**

A copy of any current contract reflecting cost, effective dates and vendor for transcription services for our agency may be obtained through the WV State Purchasing Division.

**Q.23 Hearings:**

**a)How are the digital recordings and/or cassettes provided to the vendor?**

2.1 Scope of Work -- The successful vendor must be available for in-person pick-up of cassettes once a week. However, a qualified courier would be acceptable. The pick-up location will be in the Charleston, West Virginia area.

**b)Must digital recordings and/or cassettes be picked up by vendor or may a qualified courier/delivery service be used?**

A qualified courier/deliver would be acceptable.

**c)How frequently are digital recordings/cassettes provided to the vendor?**

Once a week

**d)What is the percentage of cassettes vs. digital recordings in the monthly average of 700 hearings?**

Cassettes are being used 100% currently, however, it is our goal to transition to digital recordings at some point in the future.

**e)What is the format of the digital recordings? MP3, etc**

DVD

**f)What is the historic average number of pages for hearings. Attachment A provided in 4 up mini-pages was 31 pages of hearings transcription that would average 3.5 pages per hearings. Please clarify.**

Transcripts will vary depending on the length of the hearings so there is no true historical average since no two hearings are exactly. An example is as follows:

- 1) Transcript is 16 full pages and the index is 2 full pages. When you put 4 to a page for the transcript it reduces it down to 5 full pages plus 2 full pages for the index

**g)What is the required turnaround time (TAT) for hearings?**

One week

**h) Are completed transcripts to be returned electronically? Or,**

Transcripts are printed and delivered once a week, by vendor or qualified courier.

**i) Is the vendor responsible for printing the hearings transcripts and returning them via courier, ect?**

Yes, the vendor or an acceptable courier will be responsible for returning documents to the BOR.

**Q.24 Decisions/Orders**

**a) Dictators will access vendor's system via toll free number. Under what circumstances would cassettes or digital media be used?**

Cassettes would not be used.

**b) Completed transcription is to be returned electronically to Board of Review for printing or copying?**

No

**c) "Standard" decisions must follow the described format. What are "non-standard" decisions and how frequent are they?**

All decisions will be standard.

**Q.25 Section 2.7 "Copying" what specific transcripts (hearing or decisions) are to be copied? How was the 300,000 copy estimate derived?**

Transcripts would be required to be copied and should decisions be transcribed copies of those as well would be needed. Generally we request the original and 2 copies, however, BOR reserves the right to request additional copies as needed.

The 300,000 was for illustration purposes only.

**Q.26 Please explain the evaluation methodology. Is award based upon the total price for all categories or individual price per category?**

Award will be made to the successful vendor based entirely on low bid of total bid cost, not individual pricing.

**Q.27 Will this be awarded to more than one vendor?**

No

**Q.28 When will answers to vendor questions be available and how will they be provided –via email or the WV Purchasing Bulletin?**

Through addendum in the WV Purchasing Bulletin.