



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

Solicitation

NUMBER
DNR212181

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
KRISTA FERRELL 304-558-2596

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DIVISION OF NATURAL RESOURCES
 PROCUREMENT OFFICE

324 4TH AVENUE
 SOUTH CHARLESTON, WV
 25303-1228 304-558-3397

DATE PRINTED
10/11/2012

BID OPENING DATE:

01/24/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		920-49		
ELECTRONIC GAME CHECKING SYSTEM REQUEST FOR PROPOSAL (RFP) THE WEST VIRGINIA DIVISION OF PURCHASING FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITING PROPOSALS FOR A NEW ELECTRONIC GAME CHECKING SYSTEM PER THE ATTACHED SPECIFICATIONS. THIS DOCUMENT INCLUDES: DNR212181-REQUEST FOR PROPOSAL ATTACHMENT A-VENDOR RESPONSE SHEET ATTACHMENT B-MANDATORY SPECIFICATION CHECKLIST ATTACHMENT C-COST SHEET APPENDIX A-SPECIFICATIONS APPENDIX B-SYSTEM FUNCTIONALITY CHECKLIST APPENDIX C-DRAFT EGOVERNMENT PROGRAM AGREEMENT APPENDIX D-CURRENT SYSTEM DATABASE LAYOUTS APPENDIX E-DRAFT SERVICE LEVEL AGREEMENT						

SIGNATURE		TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

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

West Virginia Division of Natural Resources

**Electronic Licensing and Game Checking System
(ELS)**

DNR212181

Request for Proposal

REQUEST FOR PROPOSAL
West Virginia Division of Natural Resources
DNR212181- Electronic Licensing and Game Checking System (ELS)

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APPENDIX A: SPECIFICATIONS

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SECTION ONE: GENERAL INFORMATION

1. Purpose: The West Virginia Department of Administration, Purchasing Division (hereinafter referred to as the “Purchasing Division”) is soliciting proposals pursuant to **West Virginia Code §5A-3-10b** for the Department of Commerce, Division of Natural Resources (hereinafter referred to as the “Agency”) to provide a customized system for the sale of West Virginia hunting, trapping, and fishing licenses via the internet or Point of Sale (POS) agents and for hunter harvest reporting (“game checking”) via the internet, Interactive Voice Response (IVR), or POS agents; implementation, operation, support, and maintenance of the system over the life of the contract; and application hosting including hardware, software, and facility. This system is referred to as the Electronic Licensing and Game Checking System (ELS).

For purposes of this RFP, the following definitions apply:

“Agent” means any entity authorized by the Division of Natural resources to sell hunting, trapping or fishing licenses on its behalf.

“POS” or “Point of Sale” means the physical location at which goods are sold to customers.

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2. By signing and submitting its proposal, the successful Vendor agrees to be bound by all the terms contained in this Request for Proposal (“RFP”).

An RFP is generally used for the procurement of services in situations where price is not the sole determining factor and the award will be based on a combination of cost and technical factors (Best Value). Through its proposal, the bidder offers a solution to the objectives, problem, or need specified in the RFP, and defines how it intends to meet (or exceed) the RFP requirements.

3. Schedule of Events:

Vendor’s Written Questions Submission Deadline <i>(for questions to be addressed during the pre-bid meeting)</i>	10/25/2012
Mandatory Pre-bid Conference At 10:00 am	11/01/2012
Final Written Questions Submission Deadline	11/15/2012
Addendum Issued	Week of 12/11/2012 <i>(Approx.)</i>
Bid Opening Date <i>(Technical proposals)</i>	01/24/2013
Oral Presentation	TBD
Cost Proposal Opening Date	TBD
Discussion Period per West Virginia Code §5A-3-11b	TBD
Request for Best and Final Offer (BAFO) Issued to Qualified Vendors	TBD
Final Evaluation and Ranking of Vendors	TBD

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SECTION TWO: INSTRUCTIONS TO VENDORS SUBMITTING BIDS

1. REVIEW DOCUMENTS THOROUGHLY: The attached documents contain a solicitation for bids. Please read these instructions and all documents attached in their entirety. These instructions provide critical information about requirements that if overlooked could lead to disqualification of a Vendor's bid. All bids must be submitted in accordance with the provisions contained in these instructions and the Solicitation. Failure to do so may result in disqualification of Vendor's bid.

2. MANDATORY TERMS: The Solicitation may contain mandatory provisions identified by the use of the words "must," "will," and "shall." Failure to comply with a mandatory term in the Solicitation will result in bid disqualification.

3. PREBID MEETING: The item identified below shall apply to this Solicitation.

A pre-bid meeting will not be held prior to bid opening.

A **NON-MANDATORY PRE-BID** meeting will be held at the following place and time:

A MANDATORY PRE-BID meeting will be held at the following place and time:

Thursday, November 1, 2012 at 10:00 AM EST
West Virginia Division of Natural Resources Headquarters
Second Floor Conference Room
324 Fourth Avenue
South Charleston, West Virginia 25303
Telephone Number: 304-558-3298

All Vendors submitting a bid must attend the mandatory pre-bid meeting. Failure to attend the mandatory pre-bid meeting, either by phone or in person, shall result in disqualification of the Vendor's bid. No one person attending the pre-bid meeting may represent more than one Vendor.

An attendance sheet provided at the pre-bid meeting shall serve as the official document verifying attendance. Vendors participating via telephone will be faxed a copy of a sign-in sheet at the start of the pre-bid meeting, which must be faxed back to the Agency prior to the conclusion of the meeting. Vendors electing to show up in person will sign an attendance sheet. The State will not accept any other form of proof or documentation to verify attendance. Any person attending the pre-bid meeting on behalf of a Vendor must list on the attendance sheet his or her name and the name of the Vendor he or she is representing. Additionally, the person attending the pre-bid meeting should include the Vendor's E-Mail address and Fax number on the attendance sheet. It is the Vendor's responsibility to locate the attendance sheet and provide the required information. Failure to complete the attendance sheet as required may result in disqualification of Vendor's bid.

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All Vendors should arrive prior to the starting time for the pre-bid. Vendors who call or arrive after the starting time but prior to the end of the technical portions of the pre-bid will be permitted to sign in, but are charged with knowing all matters discussed at the pre-bid. Vendors who call in or arrive after conclusion of the technical portion of the pre-bid, but during any subsequent part of the pre-bid meeting will not be faxed a pre-bid telephone conference sign-in sheet or allowed to sign-in.

Questions submitted at least five business days prior to a scheduled pre-bid will be discussed at the pre-bid meeting if possible. Any discussions or answers to questions at the pre-bid meeting are preliminary in nature and are non-binding. Official and binding answers to questions will be published in a written addendum to the Solicitation prior to bid opening.

4. VENDOR QUESTION DEADLINE: Vendors may submit questions relating to this Solicitation to the Purchasing Division. Questions must be submitted in writing. All questions must be submitted on or before the date listed below and to the address listed below in order to be considered. A written response will be published in a Solicitation addendum if a response is possible and appropriate. Non-written discussions, conversations, or questions and answers regarding this Solicitation are preliminary in nature and are non-binding.

Question Submission Deadline:

For questions to be considered at the pre-bid meeting: 10/25/2012 at 5:00 PM EST

Final written question deadline: 11/15/2012 at 5:00 PM EST

Submit Questions to: Krista S. Ferrell, Buyer Supervisor
2019 Washington Street, East
P.O. Box 50130
Charleston, WV 25305
Phone: 304-558-2596
Fax: 304-558-4115
Email: krista.s.ferrell@wv.gov

5. VERBAL COMMUNICATION: Any verbal communication between the Vendor and any State personnel is not binding, including that made at the mandatory pre-bid conference. Only information issued in writing and added to the Solicitation by an official written addendum by the Purchasing Division is binding.

6. BID SUBMISSION: All bids must be signed and delivered by the Vendor to the Purchasing Division at the address listed below on or before the date and time of the bid opening. Any bid received by the Purchasing Division staff is considered to be in the possession of the Purchasing Division and will not be returned for any reason. The bid delivery address is:

Department of Administration, Purchasing Division
2019 Washington Street East
P.O. Box 50130

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Charleston, WV 25305-0130

The bid should contain the information listed below on the face of the envelope or the bid may not be considered:

SEALED BID

BUYER: Frank Whittaker

SOLICITATION NO.: DNR212181

BID OPENING DATE: _____

BID OPENING TIME: _____

FAX NUMBER: _____

In the event that Vendor is responding to a request for proposal, the Vendor shall submit one original technical and one original cost proposal plus **10 convenience copies** of each to the Purchasing Division at the address shown above. The Vendor shall submit one (1) mirror image of the paper copy of ONLY the technical proposal on separate CD-ROM or flash drive. In the event of a discrepancy between the paper original of the technical submission and the softcopy, the paper original shall take precedence. PLEASE NOTE: If the cost proposal is included on the CD-ROM or flash drive, the vendor's bid will be disqualified. Additionally, the Vendor should identify the bid type as either a technical or cost proposal on the face of each bid envelope submitted in response to a request for proposal or expression of interest as follows:

BID TYPE: Technical
 Cost

7. BID OPENING: Bids submitted in response to this Solicitation will be opened at the location identified below on the date and time listed below. Delivery of a bid after the bid opening date and time will result in bid disqualification. For purposes of this Solicitation, a bid is considered delivered when time stamped by the official Purchasing Division time clock.

Bid Opening Date and Time: Januray 24, 2013 at 1:30 PM EST

Bid Opening Location: Department of Administration, Purchasing Division
 2019 Washington Street East
 P.O. Box 50130
 Charleston, WV 25305-0130

8. ADDENDUM ACKNOWLEDGEMENT: Changes or revisions to this Solicitation will made by an official written addendum issued by the Purchasing Division. Vendor should acknowledge receipt of all addendums issued with this Solicitation by completing the Addendum Acknowledgment Form included herewith. Failure to acknowledge addendums may result in bid disqualification. The addendum acknowledgement should be submitted with the bid.

9. BID FORMATTING: Vendor should type or electronically enter the information onto its bid to prevent errors in the evaluation. Failure to type or electronically enter the information may result in bid disqualification.

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SECTION THREE: GENERAL TERMS AND CONDITIONS

1. CONTRACTUAL AGREEMENT: Issuance of a Purchase Order signed by the Purchasing Division Director, or his designee, and approved as to form by the Attorney General's office constitutes acceptance of this Contract made by and between the State of West Virginia and the Vendor. Vendor's signature on its bid signifies Vendor's agreement to be bound by and accept the terms and conditions contained in this Contract.

2. DEFINITIONS: As used in this Solicitation / Contract, the following terms shall have the meanings attributed to them below. Additional definitions may be found in the specifications included with this Solicitation / Contract.

- 2.1 **"Agency"** or **"Agencies"** means the agency, board, commission, or other entity of the State of West Virginia that is identified on the first page of the Solicitation or any other public entity seeking to procure goods or services under this Contract.
- 2.2 **"Contract"** means the binding agreement that is entered into between the State and the Vendor to provide the goods and services requested in the Solicitation.
- 2.3 **"Director"** means the Director of the West Virginia Department of Administration, Purchasing Division.
- 2.4 **"Purchasing Division"** means the West Virginia Department of Administration, Purchasing Division.
- 2.5 **"Purchase Order"** means the document signed by the Agency and the Purchasing Division, and approved as to form by the Attorney General, that identifies the Vendor as the successful bidder and Contract holder.
- 2.6 **"Solicitation"** means the official solicitation published by the Purchasing Division and identified by number on the first page thereof.
- 2.7 **"State"** means the State of West Virginia and/or any of its agencies, commissions, boards, etc. as context requires.
- 2.8 **"Vendor"** or **"Vendors"** means any entity submitting a bid in response to the Solicitation, the entity that has been selected as the lowest responsible bidder, or the entity that has been awarded the Contract as context requires.

3. CONTRACT TERM; RENEWAL; EXTENSION: The term of this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below:

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Term Contract

Initial Contract Term: This Contract becomes effective on *the date the purchase order is issued* and extends for a period of 7 (seven) year(s).

Renewal Term: This Contract may be renewed upon the mutual written consent of the Agency, and the Vendor, with approval of the Purchasing Division and the Attorney General's office (Attorney General approval is as to form only). Any request for renewal must be submitted to the Purchasing Division Director thirty (30) days prior to the expiration date of the initial contract term or appropriate renewal term. A Contract renewal shall be in accordance with the terms and conditions of the original contract. Renewal of this Contract is limited to 3 (three) successive one (1) year periods. Automatic renewal of this Contract is prohibited. Notwithstanding the foregoing, Purchasing Division approval is not required on agency delegated or exempt purchases. Attorney General approval may be required for vendor terms and conditions.

Reasonable Time Extension: At the sole discretion of the Purchasing Division Director, and with approval from the Attorney General's office (Attorney General approval is as to form only), this Contract may be extended for a reasonable time after the initial Contract term or after any renewal term as may be necessary to obtain a new contract or renew this Contract. Any reasonable time extension shall not exceed twelve (12) months. Vendor may avoid a reasonable time extension by providing the Purchasing Division Director with written notice of Vendor's desire to terminate this Contract 30 days prior to the expiration of the then current term. During any reasonable time extension period, the Vendor may terminate this Contract for any reason upon giving the Purchasing Division Director 30 days written notice. Automatic extension of this Contract is prohibited. Notwithstanding the foregoing, Purchasing Division approval is not required on agency delegated or exempt purchases, but Attorney General approval may be required.

Fixed Period Contract: This Contract becomes effective upon vendor's receipt of the notice to proceed and must be completed within _____ days.

One Time Purchase: The term of this Contract shall run for one year from the date the Purchase Order is issued or from the date the Purchase Order is issued until all of the goods contracted for have been delivered, whichever is shorter.

Other: See attached.

4. NOTICE TO PROCEED: Vendor shall begin performance of this Contract immediately upon receiving notice to proceed unless otherwise instructed by the Agency. Unless otherwise specified, the fully executed Purchase order will be considered notice to proceed

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5. QUANTITIES: The quantities required under this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below.

Open End Contract: Quantities listed in this Solicitation are approximations only, based on estimates supplied by the Agency. It is understood and agreed that the Contract shall cover the quantities actually ordered for delivery during the term of the Contract, whether more or less than the quantities shown.

Service: The scope of the service to be provided will be more clearly defined in the specifications included herewith.

Combined Service and Goods: The scope of the service and deliverable goods to be provided will be more clearly defined in the specifications included herewith.

One Time Purchase: This Contract is for the purchase of a set quantity of goods that are identified in the specifications included herewith. Once those items have been delivered, no additional goods may be procured under this Contract without an appropriate change order approved by the Vendor, Agency, Purchasing Division, and Attorney General's office.

6. PRICING: The pricing set forth herein is firm for the life of the Contract, unless specified elsewhere within this Solicitation / Contract by the State. A Vendor's inclusion of price adjustment provisions in its bid, without an express authorization from the State in the Solicitation to do so, may result in bid disqualification.

7. EMERGENCY PURCHASES: The Purchasing Division Director may authorize the Agency to purchase goods or services in the open market that Vendor would otherwise provide under this Contract if those goods or services are for immediate or expedited delivery in an emergency. Emergencies shall include, but are not limited to, delays in transportation or an unanticipated increase in the volume of work. An emergency purchase in the open market, approved by the Purchasing Division Director, shall not constitute a breach of this Contract and shall not entitle the Vendor to any form of compensation or damages. This provision does not excuse the State from fulfilling its obligations under a One Time Purchase contract.

8. REQUIRED DOCUMENTS: All of the items checked below must be provided to the Purchasing Division by the Vendor as specified below.

BID BOND: All Vendors shall furnish a bid bond in the amount of five percent (5%) of the total amount of the bid protecting the State of West Virginia. The bid bond must be submitted with the bid.

PERFORMANCE BOND: The apparent successful Vendor shall provide a performance bond in the amount \$2,000,000. The performance bond must be issued and received by the

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Purchasing Division prior to Contract award. On construction contracts, the performance bond must be 100% of the Contract value.

LABOR/MATERIAL PAYMENT BOND: The apparent successful Vendor shall provide a labor/material payment bond in the amount of 100% of the Contract value. The labor/material payment bond must be issued and delivered to the Purchasing Division prior to Contract award.

In lieu of the Bid Bond, Performance Bond, and Labor/Material Payment Bond, the Vendor may provide certified checks, cashier's checks, or irrevocable letters of credit. Any certified check, cashier's check, or irrevocable letter of credit provided in lieu of a bond must be of the same amount and delivered on the same schedule as the bond it replaces. A letter of credit submitted in lieu of a performance and labor/material payment bond will only be allowed for projects under \$100,000. Personal or business checks are not acceptable.

MAINTENANCE BOND: The apparent successful Vendor shall provide a two (2) year maintenance bond covering the roofing system. The maintenance bond must be issued and delivered to the Purchasing Division prior to Contract award.

WORKERS' COMPENSATION INSURANCE: The apparent successful Vendor shall have appropriate workers' compensation insurance and shall provide proof thereof upon request.

INSURANCE: The apparent successful Vendor shall furnish proof of the following insurance prior to Contract award:

Commercial General Liability Insurance: Coverage required is \$500,000 or more.

Builders Risk Insurance: builders risk - all risk insurance in an amount equal to 100% of the amount of the Contract.

The apparent successful Vendor shall also furnish proof of any additional insurance requirements contained in the specifications prior to Contract award regardless of whether or not that insurance requirement is listed above.

LICENSE(S) / CERTIFICATIONS / PERMITS: In addition to anything required under the Section, entitled Licensing, of the General Terms and Conditions, the apparent successful Vendor shall furnish proof of the following licenses, certifications, and/or permits prior to Contract award, in a form acceptable to the Purchasing Division.

The apparent successful Vendor shall also furnish proof of any additional licenses or certifications contained in the specifications prior to Contract award regardless of whether or not that requirement is listed above.

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9. LITIGATION BOND: The Director reserves the right to require any Vendor that files a protest of an award to submit a litigation bond in the amount equal to one percent of the lowest bid submitted or \$5,000 whichever is greater. The entire amount of the bond shall be forfeited if the hearing officer determines that the protest was filed for frivolous or improper purpose, including but not limited to, the purpose of harassing, causing unnecessary delay, or needless expense for the Agency. All litigation bonds shall be made payable to the Purchasing Division. In lieu of a bond, the protester may submit a cashier's check or certified check payable to the Purchasing Division. Cashier's or certified checks will be deposited with and held by the State Treasurer's office. If it is determined that the protest has not been filed for frivolous or improper purpose, the bond or deposit shall be returned in its entirety.

10. ALTERNATES: Any model, brand, or specification listed herein establishes the acceptable level of quality only and is not intended to reflect a preference for, or in any way favor, a particular brand or vendor. Vendors may bid alternates to a listed model or brand provided that the alternate is at least equal to the model or brand and complies with the required specifications. The equality of any alternate being bid shall be determined by the State at its sole discretion. Any Vendor bidding an alternate model or brand should clearly identify the alternate items in its bid and should include manufacturer's specifications, industry literature, and/or any other relevant documentation demonstrating the equality of the alternate items. Failure to provide information for alternate items may be grounds for rejection of a Vendor's bid.

11. EXCEPTIONS AND CLARIFICATIONS: The Solicitation contains the specifications that shall form the basis of a contractual agreement. Vendor shall clearly mark any exceptions, clarifications, or other proposed modifications in its bid. Exceptions to, clarifications of, or modifications of a requirement or term and condition of the Solicitation may result in bid disqualification.

12. LIQUIDATED DAMAGES: Vendor shall pay liquidated damages in the amount of \$100 per day for failure to provide deliverables, meet milestones identified to keep the project on target, or failure to meet specified deadlines. Vendor further agrees that it shall pay liquidated damages in the amount of \$10,000 per day if the January 1, 2015, implementation date is not met.

This clause shall in no way be considered exclusive and shall not limit the State or Agency's right to pursue any other additional remedy.

13. ACCEPTANCE/REJECTION: The State may accept or reject any bid in whole, or in part. Vendor's signature on its bid signifies acceptance of the terms and conditions contained in the Solicitation and Vendor agrees to be bound by the terms of the Contract, as reflected in the Purchase Order, upon receipt.

14. REGISTRATION: Prior to Contract award, the apparent successful Vendor must be properly registered with the West Virginia Purchasing Division and must have paid the \$125 fee if applicable.

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15. COMMUNICATION LIMITATIONS: In accordance with **West Virginia Code of State Rules §148-1-6.6**, communication with the State of West Virginia or any of its employees regarding this Solicitation during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited without prior Purchasing Division approval. Purchasing Division approval for such communication is implied for all agency delegated and exempt purchases.

16. FUNDING: This Contract shall continue for the term stated herein, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise made available, this Contract becomes void and of no effect beginning on July 1 of the fiscal year for which funding has not been appropriated or otherwise made available.

17. PAYMENT: Payment in advance is prohibited under this Contract. Payment may only be made after the delivery and acceptance of goods or services. The Vendor shall submit invoices, in arrears, to the Agency at the address on the face of the purchase order labeled "Invoice To."

18. UNIT PRICE: Unit prices shall prevail in cases of a discrepancy in the Vendor's bid.

19. DELIVERY: All quotations are considered freight on board destination ("F.O.B. destination") unless alternate shipping terms are clearly identified in the bid. Vendor's listing of shipping terms that contradict the shipping terms expressly required by this Solicitation may result in bid disqualification.

20. INTEREST: Interest attributable to late payment will only be permitted if authorized by the West Virginia Code. Presently, there is no provision in the law for interest on late payments.

21. PREFERENCE: Vendor Preference may only be granted upon written request and only in accordance with the **West Virginia Code § 5A-3-37** and the **West Virginia Code of State Rules**. A Resident Vendor Certification form has been attached hereto to allow Vendor to apply for the preference. Vendor's failure to submit the Resident Vendor Certification form with its bid will result in denial of Vendor Preference. Vendor Preference does not apply to construction projects.

22. SMALL, WOMAN-OWNED, OR MINORITY-OWNED BUSINESSES: For any solicitations publicly advertised for bid on or after July 1, 2012, in accordance with **West Virginia Code §5A-3-37(a)(7)** and **West Virginia CSR § 148-22-9**, any non-resident vendor certified as a small, women-owned, or minority-owned business under **West Virginia CSR § 148-22-9** shall be provided the same preference made available to any resident vendor. Any non-resident small, women-owned, or minority-owned business must identify itself as such in writing, must submit that writing to the Purchasing Division with its bid, and must be properly certified under **West Virginia CSR § 148-22-9** prior to submission of its bid to receive the preferences

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made available to resident vendors. Preference for a non-resident small, woman-owned, or minority owned business shall be applied in accordance with **West Virginia CSR § 148-22-9**.

23. TAXES: The Vendor shall pay any applicable sales, use, personal property or any other taxes arising out of this Contract and the transactions contemplated thereby. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.

24. CANCELLATION: The Purchasing Division Director reserves the right to cancel this Contract immediately upon written notice to the vendor if the materials or workmanship supplied do not conform to the specifications contained in the Contract. The Purchasing Division Director may cancel any purchase or Contract upon 30 days written notice to the Vendor in accordance with **West Virginia Code of State Rules § 148-1-7.16.2**.

25. WAIVER OF MINOR IRREGULARITIES: The Director reserves the right to waive minor irregularities in bids or specifications in accordance with **West Virginia Code of State Rules § 148-1-4.6**.

26. TIME: Time is of the essence with regard to all matters of time and performance in this Contract.

27. APPLICABLE LAW: This Contract is governed by and interpreted under West Virginia law without giving effect to its choice of law principles. Any information provided in specification manuals, or any other source, verbal or written, which contradicts or violates the West Virginia Constitution, West Virginia Code or West Virginia Code of State Rules is void and of no effect.

28. COMPLIANCE: Vendor shall comply with all applicable federal, state, and local laws, regulations and ordinances. By submitting a bid, Vendors acknowledge that they have reviewed, understand, and will comply with all applicable law.

29. PREVAILING WAGE: On any contract for the construction of a public improvement, Vendor and any subcontractors utilized by Vendor shall pay a rate or rates of wages which shall not be less than the fair minimum rate or rates of wages (prevailing wage), as established by the West Virginia Division of Labor under **West Virginia Code §§ 21-5A-1** et seq. and available at <http://www.sos.wv.gov/administrative-law/wagerates/Pages/default.aspx>. Vendor shall be responsible for ensuring compliance with prevailing wage requirements and determining when prevailing wage requirements are applicable. The required contract provisions contained in **West Virginia Code of State Rules § 42-7-3** are specifically incorporated herein by reference.

30. ARBITRATION: Any references made to arbitration contained in this Contract, Vendor's bid, or in any American Institute of Architects documents pertaining to this Contract are hereby deleted, void, and of no effect.

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31. MODIFICATIONS: This writing is the parties' final expression of intent. Notwithstanding anything contained in this Contract to the contrary, no modification of this Contract shall be binding without mutual written consent of the Agency, and the Vendor, with approval of the Purchasing Division and the Attorney General's office (Attorney General approval is as to form only). **No Change shall be implemented by the Vendor until such time as the Vendor receives an approved written change order from the Purchasing Division.**

32. WAIVER: The failure of either party to insist upon a strict performance of any of the terms or provision of this Contract, or to exercise any option, right, or remedy herein contained, shall not be construed as a waiver or a relinquishment for the future of such term, provision, option, right, or remedy, but the same shall continue in full force and effect. Any waiver must be expressly stated in writing and signed by the waiving party.

33. SUBSEQUENT FORMS: The terms and conditions contained in this Contract shall supersede any and all subsequent terms and conditions which may appear on any form documents submitted by Vendor to the Agency or Purchasing Division such as price lists, order forms, invoices, sales agreements, or maintenance agreements, and includes internet websites or other electronic documents. Acceptance or use of Vendor's forms does not constitute acceptance of the terms and conditions contained thereon.

34. ASSIGNMENT: Neither this Contract nor any monies due, or to become due hereunder, may be assigned by the Vendor without the express written consent of the Agency, the Purchasing Division, the Attorney General's office (as to form only), and any other government agency or office that may be required to approve such assignments. Notwithstanding the foregoing, Purchasing Division approval may or may not be required on certain agency delegated or exempt purchases.

35. WARRANTY: The Vendor expressly warrants that the goods and/or services covered by this Contract will: (a) conform to the specifications, drawings, samples, or other description furnished or specified by the Agency; (b) be merchantable and fit for the purpose intended; and (c) be free from defect in material and workmanship.

36. STATE EMPLOYEES: State employees are not permitted to utilize this Contract for personal use and the Vendor is prohibited from permitting or facilitating the same.

37. BANKRUPTCY: In the event the Vendor files for bankruptcy protection, the State of West Virginia may deem this Contract null and void, and terminate this Contract without notice.

38. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at <http://www.state.wv.us/admin/purchase/vrc/hipaa.html> and is hereby made part of the agreement provided that the Agency meets the definition of a Covered entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the Vendor.

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39. CONFIDENTIALITY: The Vendor agrees that it 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/default.html>.

40. DISCLOSURE: Vendor's response to the Solicitation and the resulting Contract are considered public documents and will be disclosed to the public in accordance with the laws, rules, and policies governing the West Virginia Purchasing Division. Those laws include, but are not limited to, the Freedom of Information Act found in **West Virginia Code § 29B-1-1** et seq.

If a Vendor considers any part of its bid to be exempt from public disclosure, Vendor must so indicate by specifically identifying the exempt information, identifying the exemption that applies, providing a detailed justification for the exemption, segregating the exempt information from the general bid information, and submitting the exempt information as part of its bid but in a segregated and clearly identifiable format. Failure to comply with the foregoing requirements will result in public disclosure of the Vendor's bid without further notice. A Vendor's act of marking all or nearly all of its bid as exempt is not sufficient to avoid disclosure and **WILL NOT BE HONORED**. Vendor's act of marking a bid or any part thereof as "confidential" or "proprietary" is not sufficient to avoid disclosure and **WILL NOT BE HONORED**. In addition, a legend or other statement indicating that all or substantially all of the bid is exempt from disclosure is not sufficient to avoid disclosure and **WILL NOT BE HONORED**. Vendor will be required to defend any claimed exemption for nondisclosure in the event of an administrative or judicial challenge to the State's nondisclosure. Vendor must indemnify the State for any costs incurred related to any exemptions claimed by Vendor. Any questions regarding the applicability of the various public records laws should be addressed to your own legal counsel prior to bid submission.

41. LICENSING: In accordance with **West Virginia Code of State Rules §148-1-6.1.7**, Vendor 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, West Virginia Insurance Commission, or any other state agency or political subdivision. Upon request, the Vendor must provide all necessary releases to obtain information to enable the Purchasing Division Director or the Agency to verify that the Vendor is licensed and in good standing with the above entities.

42. ANTITRUST: In submitting a bid to, signing a contract with, or accepting a Purchase Order from any agency of the State of West Virginia, the Vendor agrees to 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

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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 Vendor.

43. VENDOR CERTIFICATIONS: By signing its bid or entering into this Contract, Vendor certifies (1) that its bid was made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, person or entity submitting a bid for the same material, supplies, equipment or services; (2) that its bid is in all respects fair and without collusion or fraud; (3) that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; and (4) that it has reviewed this RFQ in its entirety; understands the requirements, terms and conditions, and other information contained herein. Vendor's signature on its bid also affirms that neither it nor its representatives have any interest, nor shall acquire any interest, direct or indirect, which would compromise the performance of its services hereunder. Any such interests shall be promptly presented in detail to the Agency.

The individual signing this bid on behalf of Vendor certifies that he or she is authorized by the Vendor to execute this bid or any documents related thereto on Vendor's behalf; that he or she is authorized to bind the Vendor in a contractual relationship; and that, to the best of his or her knowledge, the Vendor has properly registered with any State agency that may require registration.

44. PURCHASING CARD ACCEPTANCE: The State of West Virginia currently utilizes a Purchasing Card program, administered under contract by a banking institution, to process payment for goods and services. The Vendor must accept the State of West Virginia's Purchasing Card for payment of all orders under this Contract unless the box below is checked.

Vendor is not required to accept the state of West Virginia's Purchasing card as payment for all goods and services.

45. VENDOR RELATIONSHIP: The relationship of the Vendor to the State shall be that of an independent contractor and no principal-agent relationship or employer-employee relationship is contemplated or created by this Contract. The Vendor as an independent contractor is solely liable for the acts and omissions of its employees and agents. Vendor shall be responsible for selecting, supervising, and compensating any and all individuals employed pursuant to the terms of this Solicitation and resulting contract. Neither the Vendor, nor any employees or subcontractors of the Vendor, shall be deemed to be employees of the State for any purpose whatsoever. Vendor shall be exclusively responsible for payment of employees and contractors for all wages and salaries, taxes, withholding payments, penalties, fees, fringe benefits, professional liability insurance premiums, contributions to insurance and pension, or other deferred compensation plans, including but not limited to, Workers' Compensation and Social Security obligations, licensing fees, etc. and the filing of all necessary documents, forms and

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returns pertinent to all of the foregoing. Vendor shall hold harmless the State, and shall provide the State and Agency with a defense against any and all claims including, but not limited to, the foregoing payments, withholdings, contributions, taxes, Social Security taxes, and employer income tax returns.

46. INDEMNIFICATION: The Vendor agrees to indemnify, defend, and hold harmless the State and the Agency, their officers, and employees from and against: (1) Any claims or losses for services rendered by any subcontractor, person, or firm performing or supplying services, materials, or supplies in connection with the performance of the Contract; (2) Any claims or losses resulting to any person or entity injured or damaged by the Vendor, its officers, employees, or subcontractors by the publication, translation, reproduction, delivery, performance, use, or disposition of any data used under the Contract in a manner not authorized by the Contract, or by Federal or State statutes or regulations; and (3) Any failure of the Vendor, its officers, employees, or subcontractors to observe State and Federal laws including, but not limited to, labor and wage and hour laws.

47. PURCHASING AFFIDAVIT: In accordance with **West Virginia Code § 5A-3-10a**, all Vendors are required to sign, notarize, and submit the Purchasing Affidavit stating that neither the Vendor nor a related party owe a debt to the State in excess of \$1,000. The affidavit must be submitted prior to award, but should be submitted with the Vendor's bid. A copy of the Purchasing Affidavit is included herewith.

48. ADDITIONAL AGENCY AND LOCAL GOVERNMENT USE: This Contract may be utilized by and extends to other agencies, spending units, and political subdivisions of the State of West Virginia; county, municipal, and other local government bodies; and school districts ("Other Government Entities"). This Contract shall be extended to the aforementioned Other Government Entities on the same prices, terms, and conditions as those offered and agreed to in this Contract. If the Vendor does not wish to extend the prices, terms, and conditions of its bid and subsequent contract to the Other Government Entities, the Vendor must clearly indicate such refusal in its bid. A refusal to extend this Contract to the Other Government Entities shall not impact or influence the award of this Contract in any manner.

49. CONFLICT OF INTEREST: Vendor, its officers or members or employees, shall not presently have or acquire any interest, direct or indirect, which would conflict with or compromise the performance of its obligations hereunder. Vendor shall periodically inquire of its officers, members and employees to ensure that a conflict of interest does not arise. Any conflict of interest discovered shall be promptly presented in detail to the Agency.

50. REPORTS: Vendor shall provide the Agency and/or the Purchasing Division with the following reports identified by the check boxes below:

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[] Such reports as the Agency and/or the Purchasing Division may request. Requested reports may include, but are not limited to, quantities purchased, agencies utilizing the contract, total contract expenditures by agency, etc.

[] Quarterly reports detailing the total quantity of purchases in units and dollars, along with a listing of purchases by agency. Quarterly reports should be delivered to the Purchasing Division via email at purchasing.requisitions@wv.gov.

51. BACKGROUND CHECK: In accordance with **West Virginia Code § 15-2D-3**, the Director of the Division of Protective Services shall require any service provider whose employees are regularly employed on the grounds or in the buildings of the Capitol complex or who have access to sensitive or critical information to submit to a fingerprint-based state and federal background inquiry through the state repository.

After the contract for such services has been approved, but before any such employees are permitted to be on the grounds or in the buildings of the Capitol complex or have access to sensitive or critical information, the service provider shall submit a list of all persons who will be physically present and working at the Capitol complex to the Director of the Division of Protective Services for purposes of verifying compliance with this provision.

The State reserves the right to prohibit a service provider's employees from accessing sensitive or critical information or to be present at the Capitol complex based upon results addressed from a criminal background check.

52. PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS: Except when authorized by the Director of the Purchasing Division pursuant to **West Virginia Code § 5A-3-56**, no contractor may use or supply steel products for a State Contract Project other than those steel products made in the United States. A contractor who uses steel products in violation of this section may be subject to civil penalties pursuant to **West Virginia Code § 5A-3-56**. As used in this section:

- a. "State Contract Project" means any erection or construction of, or any addition to, alteration of or other improvement to any building or structure, including but not limited to, roads or highways, or the installation of any heating or cooling or ventilating plants or other equipment, or the supply of *any* materials for such projects, pursuant to a contract with the State of West Virginia for which bids were solicited on or after June 6, 2001.
- b. "Steel Products" means products rolled, formed, shaped, drawn, extruded, forged, cast, fabricated or otherwise similarly processed, or processed by a combination of two or more *of* such operations, from steel made by the open *hearth*, basic oxygen, electric furnace, Bessemer or other steel making process.

The Purchasing Division Director may, in writing, authorize the use of foreign steel products if:

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- a. The cost for each contract item used does not exceed one tenth of one percent (.1%) of the total contract cost or two thousand five hundred dollars (\$2,500.00), whichever is greater. For the purposes of this section, the cost is the value of the steel product as delivered to the project; or
- b. The Director of the Purchasing Division determines that specified steel materials are not produced in the United States in sufficient quantity or otherwise are not reasonably available to meet contract requirements.

53. PREFERENCE FOR USE OF DOMESTIC ALUMINUM, GLASS, AND STEEL: In Accordance with **West Virginia Code § 5-19-1** et seq., and **West Virginia CSR § 148-10-1** et seq., for every contract or subcontract, subject to the limitations contained herein, for the construction, reconstruction, alteration, repair, improvement or maintenance of public works or for the purchase of any item of machinery or equipment to be used at sites of public works, only domestic aluminum, glass or steel products shall be supplied unless the spending officer determines, in writing, after the receipt of offers or bids, (1) that the cost of domestic aluminum, glass or steel products is unreasonable or inconsistent with the public interest of the State of West Virginia, (2) that domestic aluminum, glass or steel products are not produced in sufficient quantities to meet the contract requirements, or (3) the available domestic aluminum, glass, or steel do not meet the contract specifications. This provision only applies to public works contracts awarded in an amount more than fifty thousand dollars (\$50,000) or public works contracts that require more than ten thousand pounds of steel products.

The cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than twenty percent (20%) of the bid or offered price for foreign made aluminum, glass, or steel products. If the domestic aluminum, glass or steel products to be supplied or produced in a "substantial labor surplus area", as defined by the United States Department of Labor, the cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than thirty percent (30%) of the bid or offered price for foreign made aluminum, glass, or steel products.

This preference shall be applied to an item of machinery or equipment, as indicated above, when the item is a single unit of equipment or machinery manufactured primarily of aluminum, glass or steel, is part of a public works contract and has the sole purpose or of being a permanent part of a single public works project. This provision does not apply to equipment or machinery purchased by a spending unit for use by that spending unit and not as part of a single public works project.

All bids and offers including domestic aluminum, glass or steel products that exceed bid or offer prices including foreign aluminum, glass or steel products after application of the preferences provided in this provision may be reduced to a price equal to or lower than the lowest bid or offer price for foreign aluminum, glass or steel products plus the applicable preference. If the reduced bid or offer prices are made in writing and supersede the prior bid or offer prices, all bids or offers, including the reduced bid or offer prices, will be reevaluated in accordance with this rule.

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CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that, to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

(Company)

(Authorized Signature)

(Representative Name, Title)

(Phone Number)

(Fax Number)

(Date)

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ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO. DNR212181:

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

- | | | | |
|--------------------------|----------------|--------------------------|-----------------|
| <input type="checkbox"/> | Addendum No. 1 | <input type="checkbox"/> | Addendum No. 6 |
| <input type="checkbox"/> | Addendum No. 2 | <input type="checkbox"/> | Addendum No. 7 |
| <input type="checkbox"/> | Addendum No. 3 | <input type="checkbox"/> | Addendum No. 8 |
| <input type="checkbox"/> | Addendum No. 4 | <input type="checkbox"/> | Addendum No. 9 |
| <input type="checkbox"/> | Addendum No. 5 | <input type="checkbox"/> | Addendum No. 10 |

I understand that failure to confirm the receipt of the addenda may be cause for rejection of this bid. I further understand that that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Company

Authorized Signature

Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.

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SECTION FOUR: PROJECT SPECIFICATIONS

1. **Location:** Agency is located at 324 Fourth Avenue, South Charleston, WV 25303.

2. Background and Current Operating Environment:

In West Virginia, wildlife recreation dates back to the Colonial era. Today almost 602,000 people hunt and fish in West Virginia and the revenue from their licenses helps the state apply stewardship to public lands and make them available for appropriate recreational activity. In 2010, 914,474 license privileges and permits were sold generating \$15,833,142 in revenue. The Agency currently maintains a group of non-integrated systems for selling hunting, trapping, and fishing licenses. The current license sales systems use a mix of paper-based, internet-based, and Point-Of-Sale (POS) technologies. Game harvest data is collected manually and statistics are maintained at the Elkins Operations Center. DNR law enforcement also maintains hunter safety certification and license revocation records, although these processes (beyond the input and retention of basic data) are not the subject of this RFP.

In the paper-based licensing system, customer demographic data (such as name, address, and date of birth) is not captured. Although the sales transactions are scanned into a file, the system does not support electronic fund transfer or sweeps, making audit reconciliation difficult and labor intensive; it is often difficult to collect funds from paper-based agents. The paper-based system lacks the capacity to effectively use sales information for research and marketing. Further, an inventory of paper applications and stamps (by year) are managed and controlled by DNR personnel and must be distributed to agents each new calendar year and otherwise as needed.

Utilizing selected agents throughout the state, the POS system maintains a database of customer information, electronically records sales transactions, and performs funds transfers. Implemented in 2002, the internet-based system allows the sale of hunting, trapping, and fishing licenses online. Neither system stores customer demographic data in a manner to permit subsequent retrieval for use by DNR for research and marketing, and none of the limited data captured is shared between systems.

DNR also maintains a paper-based game checking system. Successful hunters are required to report to an official game-check station for retagging and checking of certain species. A variety of data is collected from the tags. Unfortunately, only a small portion of the data is entered into a database at the Elkins Operations Center.

As might be expected, DNR sales statistics reveal a decline in paper-based sales and an increase in internet-based sales. In the most recent license year, sales statistics indicate:

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2011 LICENSE SALES	
SYSTEM	% OF ANNUAL SALES
Paper-based	27
Internet-based	28
POS-based	45

At the end of 2011, DNR had 117 POS-based agents and 162 paper-based agents. 11 POS agents use dial-up communications, and the remaining utilize high speed connections such as DSL.

Analysis of 2011 automated sales confirm that West Virginia sportspersons purchase licenses 24 hours per day. Depending on the weather, sales of fishing licenses spike in March and April; hunting license sales peak in October and November.

2011 TRANSACTIONS BY HOUR			
TIME*	POS	INTERNET	TOTAL
00:00:00 – 00:59:59	326	883	1,209
01:00:00 – 01:59:59	165	358	523
02:00:00 – 02:59:59	84	187	271
03:00:00 – 03:59:59	107	154	261
04:00:00 – 04:59:59	169	273	442
05:00:00 – 05:59:59	415	615	1,030
06:00:00 – 06:59:59	929	1,163	2,092
07:00:00 – 07:59:59	2,119	2,061	4,180
08:00:00 – 08:59:59	4,367	3,394	7,761
09:00:00 – 09:59:59	8,823	4,490	13,313
10:00:00 – 10:59:59	13,010	5,112	18,122
11:00:00 – 11:59:59	15,948	5,055	21,003
12:00:00 – 12:59:59	17,104	5,148	22,252
13:00:00 – 13:59:59	17,210	5,198	22,408
14:00:00 – 14:59:59	16,177	4,897	21,074
15:00:00 – 15:59:59	15,671	4,894	20,565
16:00:00 – 16:59:59	15,396	4,925	20,321
17:00:00 – 17:59:59	13,680	4,679	18,359
18:00:00 – 18:59:59	12,369	4,788	17,157
19:00:00 – 19:59:59	10,520	5,268	15,788
20:00:00 – 20:59:59	7,797	5,730	13,527
21:00:00 – 21:59:59	4,166	5,474	9,640
22:00:00 – 22:59:59	1,551	4,105	5,656
23:00:00 – 23:59:59	784	2,093	2,877
TOTALS	178,887	80,944	259,831

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*Note: Time is shown based on the 24 hour clock where 00:00:00 is midnight and 12:00:00 is noon.

DNR sells lifetime licenses and annual licenses. Lifetime licenses (infant and adult) are available to West Virginia residents only. Sold only at DNR headquarters in South Charleston, lifetime licenses are printed on a credit card type material. Annual licenses are valid only for the current calendar year and are offered for residents and non-residents. Licenses sold at POS agent locations are printed on a GoWILD paper stock while licenses sold on the internet are printed on stock 8 ½ X 11 paper.

Although a variety of species are required to be checked, by far the largest volume of game checking occurs during the first seven days following the opening of buck gun season. Buck gun season opens the Monday before Thanksgiving.

This table provides historical game checking information to help evaluate seasonal volume. The table represents a six-year analysis of buck game check, detailing the first seven days of the season and the season total. Although the number of game checked dropped in 2010, 2011 showed an increase to more normal levels. The most game checked during buck gun season was in 2002 when 255,356 bucks were checked.

GAME CHECK BY DAY FOR THE FIRST WEEK OF BUCK GUN SEASON								
	MON	TUE	WED	THU	FRI	SAT	SUN	SEASON TOTAL
2006	28,589	18,321	11,610	6,565	7,660	5,619	394	137,621
2007	31,067	15,213	9,096	4,832	9,076	7,719	444	145,937
2008	24,853	17,960	14,842	9,057	10,203	8,350	379	163,603
2009	26,762	16,932	10,821	6,610	7,304	8,655	560	155,214
2010	18,150	9,590	9,497	3,939	5,339	5,209	385	106,499
2011	22,735	10,573	10,624	7,962	9,256	6,808	356	135,696

The current automated systems have served DNR and the West Virginia hunting and fishing constituency very well, although they were developed over 10 years ago and use technology outdated by today's standards. The original developers have moved on, leaving DNR at risk with no one having the knowledge to fully maintain and support the applications.

Modifications are limited to those essential to selling licenses at the change of the calendar year. No enhancements are made. The system infrastructure is old and severely out of date, representing a serious risk to DNR.

Additional information is available to vendors for their use in preparing their response to this RFP. Vendors can find information at the following web sites:

Wildlife Resources licensing home page:

<http://www.wvdnr.gov/hunting/licensing.shtm>

DNR Annual Report:

http://www.wvdnr.gov/admin/annual_report.shtm

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West Virginia Hunting and Trapping Regulations:
http://www.wvdnr.gov/hunting/hunting_regs.shtm

When licenses and permits are not required:
http://www.wvdnr.gov/hunting/gen_licenses_not_req.shtm

Purchase a West Virginia Hunting or Trapping License (GoWILD!):
<https://www.wvhunt.com/wizard/hflw000.asp>

Purchase a West Virginia Fishing License (GoWILD!):
<https://www.wvfish.com/wizard/hflw000.asp>

3. **Qualifications and Experience:** Vendors will provide in **Attachment A: Vendor Response Sheet** information regarding their firm, such as staff qualifications and experience in completing similar projects; references; copies of any staff certifications or degrees applicable to this project; proposed staffing plan; descriptions of past projects completed entailing the location of the project, project manager name and contact information, type of project, and what the project goals and objectives were and how they were met.

The vendor should demonstrate a history of prior experience in and successful project implementation of systems related to Wildlife Licensing and/or Game Checking. Specifically, the vendor should provide information regarding its:

3.1 **Company description and history**

3.2 **References**

3.3 **Significant subcontractor company information and reference.**

3.4 **Qualifications**

3.5 **Other subcontractors**

3.6 **Project Team Organization and Description**

4. **Project and Goals:**

The West Virginia DNR is requesting proposals from vendors interested in providing an Electronic Licensing and Game Checking System (ELS). Operating in a vendor hosted environment, the new ELS should offer the sportspersons of West Virginia the opportunity to purchase licenses at an agent location or via the internet. The new ELS should offer the successful hunter the option to check their game at an agent location, over the internet, or by telephone via Interactive Voice Response (IVR).

Specifically, vendors should provide the services identified in this RFP and the System Specifications detailed in Appendix A. In addition to this RFP, vendors should carefully read and consider Appendix A in order to fully understand the system requirements and functionality desired by DNR.

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DNR understands that a single vendor may not be able to meet all the goals and objectives. Vendors may elect to subcontract certain services. In such an event, the vendor shall be solely responsible for all work performed under this contract. The vendor shall assume prime contractor responsibility for all services offered and products to be delivered under the terms of this contract. The state will consider the vendor to be the sole point of contact with regard to all contractual matters. The vendor may, with the prior written consent of the state, enter into written subcontracts for performance of work under this contract; however, the vendor is totally responsible for payment of all subcontractors.

- 4.1 **System Functionality Checklist** - DNR desires a fully functioning ELS that includes the capabilities contained in the specifications (Appendix A).
- 4.2 **Infrastructure** – DNR desires that the ELS vendor host the ELS on sustainable and scalable hardware in a safe and secure environment.
- 4.3 **Project Management** - DNR understands that formal project management is imperative for a successful ELS implementation. DNR desires that formal project management methodology be employed when implementing the ELS.
- 4.4 **Conversion** – DNR currently maintains customer and license information in three siloed databases. DNR desires to convert that data into the ELS, account for all converted data, and identify potential duplicate customers.
- 4.5 **Implementation and Roll-out** – DNR anticipates that many of the existing agents will transition to the ELS. DNR desires that the vendor conduct a pilot and, upon success of the pilot, roll-out and implement the ELS.
- 4.6 **Training** – DNR understands that successful implementation of the ELS requires training for agents and DNR staff. DNR desires that the vendor provide and execute training for agents and DNR staff that reflects West Virginia policy.
- 4.7 **SDLC Methodology** – DNR desires that SDLC methodology be employed when implementing the ELS.
- 4.8 **License Sales** – DNR desires to sell licenses via POS devices at agent sites and directly to the customer via the internet. The ELS should include a lottery process for the sale of certain permits. A help desk should be available to the agents and DNR.
- 4.9 **Game Checking** - DNR desires to replace the current paper-based game checking process with a new automated process. The data collected by the new process should be available to the Elkins Operations Center biologists for analysis and reporting (via the replicated database).
- 4.10 **Accounting & Related Functions** - DNR requires agents to maintain a bank account and allow DNR to periodically sweep their account to collect monies due DNR from license sales. DNR desires an ELS which calculates the monies due DNR and builds the appropriate Electronic Fund Transfer (EFT) and accounting transactions.
- 4.11 **Other Functionality** - DNR desires additional functionality of the ELS which includes system administration, a replicated database, a method to identify and

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consolidate duplicate customer records, and provides protection for Personal Identification Information (PII).

5. Mandatory Requirements

The following mandatory requirements must be met by the Vendor as a part of the submitted proposal. Failure on the part of the Vendor to meet any of the mandatory specifications shall result in the disqualification of the proposal. The terms “must,” “will,” “shall,” “minimum,” “maximum,” or “is/are required” identify a mandatory item or factor. Decisions regarding compliance with any mandatory requirements shall be at the sole discretion of the Purchasing Division.

5.1. System Operation and Hosting: The Vendor shall be responsible for hosting the ELS through all stages of the project, including post-implementation production. Vendor shall provide all necessary infrastructure including hardware, software (e.g., O/S, application middleware, RDBMS), network connectivity, personnel, policies procedures, and facilities to operate all aspects of the ELS.

5.2. License Voids and Reprints: The Vendor shall provide a solution that:

- Prevents an internet-issued license from being voided by anyone other than authorized DNR staff;
- Prevents an internet-issued license that has been voided by authorized DNR staff from being reprinted;
- Denies all requests by a POS agent to void a license when a reprint of the license has occurred; and
- Prevents a POS-issued license from being reprinted if it has been voided (or requested to be voided).

5.3. Use of the West Virginia State Treasurer’s Office: The vendor shall utilize the West Virginia treasurer’s Office and its E-Government program for the secure collection of monies via credit/debit cards as well as for Electronic Funds Transfer of agent-collected fees in accordance with the (draft) agreement and conditions presented in Appendix E. See “CHAPTER 12. PUBLIC MONEYS AND SECURITIES, ARTICLE 3A. FINANCIAL ELECTRONIC COMMERCE” at <http://www.legis.state.wv.us/WVCODE/Code.cfm?chap=12&art=3A#03A> for the complete code relating to the Treasurer’s responsibilities and obligations.

5.4. Project Management: The successful bidder will be required to utilize a formal methodology to project management, which is compliant with the PMBOK and WV Office of Technology (WVOT) Enterprise Project Management Office (EPMO) and includes the following:

- 5.4.1 The successful vendor must assign a project manager to the project who will be responsible for the successful completion of all work tasks and deliverables as defined within the project work plan and will work under the direction of the DNR’s Project Manager and under oversight direction from the WVOT Project

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Manager to ensure that all work is performed in accordance with the terms and conditions of the contract.

- 5.4.2 The successful vendor's Project Manager will be required to maintain a detailed project work plan through the full term of the implementation process. The vendor's Project Manager will be required to submit an updated work plan to the DNR's Project Manager and WVOT Oversight Project Manager on a date and time that will be determined during contract negotiations. Vendor must complete the entire effort as expeditiously as possible after the contract is awarded. The system must be successfully implemented by January 1, 2015.
- 5.4.3 The successful vendor's Project Manager will be required to track and report on via status reports the following: schedule, scope, budget, issues, risks, specified performance indicators, and other metrics determined appropriate when establishing the project Charter. The successful vendor will work with the DNR Project Manager and the WVOT Oversight Project Manager to establish, publish, and follow a formal communications plan.
- 5.4.4 WVOT Project Management Oversight - Pursuant to **West Virginia Code § 5A-6-4b**, the WV Office of Technology (WVOT) Enterprise Project Management Office (EPMO) has the responsibility for managing information technology projects and providing oversight for state agency information technology projects. EPMO uses a project management methodology based on the Project Management Institute (PMI), Project Management Body of Knowledge (PMBOK). EPMO offers a methodology to its customers and their vendors that encompass a variety of templates and tools for project management.

Project oversight is an independent review and analysis of project artifacts and processes to determine if the project is on track, to be completed within the estimated schedule and cost, and will provide the functionality required by the sponsoring organization. The WVOT Project Manager performing oversight for the ELS project will ensure the contracted Project Manager utilizes a formal methodology for project management, which is compliant with the PMBOK. Specifically, project oversight:

- 5.4.4.1 Establishes a governance structure for projects (and programs) to evaluate project performance, provide resources, address significant project risks and issues, and approve significant changes in scope or objectives.
- 5.4.4.2 Requires formalized project communications to provide accurate, timely communications related to project progress, budget, schedule, scope, and changes.
- 5.4.4.3 Identifies and quantifies any issues and risks that could negatively impact the achievement of project objectives.

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5.4.4.4 Periodically, assesses and confirms the concept, scope, and objectives of the project.

5.4.4.5 Validates compliance with the project management methodology and ensures that project management standards and best practices, as appropriate for the given project, are followed and documented throughout a project life-cycle.

5.4.4.6 Evaluates a project team's performance using a prescribed set of checks and balances integral to established processes such as strategic planning, investment management, funding, and project execution.

6. **Oral Presentations:** Qualifying vendors will be required to participate in an Oral Presentation and Demonstration of their proposed solution. The order by which vendors are assigned Oral Presentation and Demonstration dates is to be determined through a random process. Each vendor will have up to 4 (four) hours to present. All Oral Presentations will take place in South Charleston, WV. During the Oral Presentations and Demonstration, vendors may not alter or add to their submitted proposal, but only clarify information based on the outline provided by the state. A general description of the materials and information to be presented is provided below; a more detailed script of items to be demonstrated will be supplied when the presentation is scheduled.

6.1. Materials and Information Required at Oral Presentation:

- Overview of proposed solution
- Overview of proposed project plan, approach, and methodology including proposed DNR role and responsibilities in the project
- Introduction of proposed project manager (required) and other key team members (optional)
- Demonstration (must include components listed in the DNR-provided script; vendor may include additional components, within time allotted)
- Question and answers
- Concluding remarks

7. **Additional Requirements:** The following additional requirements will be incorporated in the contract with the successful vendor.

7.1 Vendor agrees to negotiate a Service Level Agreement (SLA) describing the services to be provided, the levels of availability and performance expected, and other commitments required to successfully meet DNR's needs. This SLA will address performance measurements and potential penalties if the performance measurements are not met. DNR's expectations are identified in Appendix E.

7.2 The successful vendor may be required to register with the Secretary of State and pay applicable fees.

7.3 Source Code Escrow Items Obligations: To the extent that the System includes application software or other materials generally licensed by the Vendor, then the

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source code, object code, and other materials shall be placed in escrow, subject to the terms and conditions of an Escrow Agreement to be executed by the Parties and an Escrow Agent that is acceptable to DNR. Simultaneously with DNR’s authorization to the Vendor to commence live operation of the System and with each release or modification to the software, the Vendor shall place in Escrow a true, accurate and complete copy of all source code and object code relating the System and any specific information necessary for the development, production or use of the software. In the event of the Vendor’s bankruptcy or insolvency, DNR should be given access to this source code and the authority to use the software perpetually.

7.4 The vendor agrees to adhere to the following payment plan.

DNR ELS System	
One-time Start-up Costs	
The Agency intends to compensate the vendor upon completion and DNR acceptance of the milestones or deliverables identified below	
Milestone or Deliverable	Percentage of Payment
Completion of system analysis	10%
Completion of system development and vendor testing	25%
Completion of user acceptance testing (UAT)	15%
Completion of pilot	20%
Conversion, roll-out, and implementation (as defined in SLA) of the ELS to all agents, DNR, and internet users	30%
Annual recurring costs – years 2 - 7	
A monthly invoice (submitted each month for the previous month’s service) representing 1/12 of the annual recurring cost for that contract year.	
Development Contingency Pool Hours	
Invoiced monthly for hours actually used at the rate for Development Contingency Pool Hours. Use of all Development Contingency Pool Hours must be pre-approved by DNR and documented via the change control process.	

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SECTION FIVE: VENDOR PROPOSAL

- 1. Economy of Preparation:** Proposals should be prepared simply and economically providing a straightforward, concise description of the Vendor's abilities to satisfy the requirements of the RFP. Emphasis should be placed on completeness and clarity of the content.
- 2. Incurring Cost:** Neither the State nor any of its employees or officers shall be held liable for any expenses incurred by any Vendor responding to this RFP, including but not limited to preparation, delivery, or travel.
- 3. Proposal Format:** Vendors should provide responses in the format listed below:

Title Page: State the RFP subject, number, Vendor's name, business address, telephone number, fax number, name of contact person, e-mail address, and Vendor signature and date.

Table of Contents: Clearly identify the material by section and page number.

Attachment A: Within the attached response sheet (**Attachment A: Vendor Response Sheet**), provide the following: firm and staff qualifications and experience in completing similar projects; references; copies of any staff certifications or degrees applicable to this project; proposed staffing plan; descriptions of past projects completed entailing the location of the project, project manager name and contact information, type of project, and what the project goals and objectives were and how they were met.

Also, describe the approach and methodology proposed for this project. This should include how each of the goals and objectives listed is to be met. Please label all the responses by section number as defined in Section 4.3 in the attached response sheet provided (See Attachment A: Project Goals and Objectives).

Attachment B: Complete **Attachment B: Mandatory Specification Checklist**. By signing and dating this attachment, the Vendor acknowledges that they meet or exceed each of these specifications as outlined in 4.5 of Section Two: Project Specifications. The State reserves the right to require documentation detailing how each is met at its discretion.

Attachment C: Complete **Attachment C: Cost Sheet** included in this RFP and submit in a separate sealed envelope. Cost should be clearly

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marked. Cost information should appear in Attachment C and not in any other section of the RFP response.

Oral Presentations: As established by the Agency in the Schedule of Events (Section 1.3), all qualified Vendors participating in this RFP will be required to provide an oral presentation, based on the criteria set in Section 4.6. During oral presentations, Vendors may not alter or add to their submitted proposal, but only to clarify information.

4. Proposal Submission: Proposals must be received in **two distinct parts**: technical and cost.

- **Technical proposals** must not contain any cost information relating to the project.
- **Cost proposal** shall be sealed in a separate envelope and will not be opened initially.

All proposals must be submitted to the Purchasing Division **prior** to the date and time stipulated in the RFP as the opening date. All bids will be dated and time stamped to verify official time and date of receipt. All submissions must be in accordance with the provisions listed below and in Section Two: Instructions to Bidders Submitting Bids above.

5. Technical Bid Opening: The Purchasing Division will open and announce only the technical proposals received prior to the date and time specified in the Request for Proposal. The technical proposals shall then be provided to the Agency evaluation committee.

6. Cost Bid Opening: The Purchasing Division shall schedule a date and time to publicly open and announce cost proposals when the Purchasing Division has approved the technical recommendation of the evaluation committee. All cost bids for qualifying proposals will be opened. Cost bids for non-qualifying proposals will also be opened but shall not be considered. A proposal may be deemed non-qualifying for a number of reasons including, but not limited to, the bidder's technical proposal failing to meet the minimum acceptable score and the bidder's technical proposal failing to meet a mandatory requirement of the contract. Certain information, such as technical scores and reasons for disqualification, will not be available until after the contract award, pursuant to **West Virginia Code §5A-3-11(h)** and **West Virginia Code of State Rules §148-1-6.2.5**.

7. Discussion and Final Offer: The State anticipates that it may conduct discussions with, and obtain best and final offers (BAFO) from, responsive and responsible bidders who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements in accordance with **West Virginia Code, §5A-3-11b**. The State, at its sole discretion and as deemed to be in the best interest of the State, may provide

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clarification in the request for BAFO regarding the anticipated scope of the project as described in the RFP and instruct Vendors to adjust their technical proposal and cost proposal accordingly to reflect the clarification provided by the State. If deemed appropriate, the State reserves the right to adjust the point allocations for the BAFO Technical Proposal and Cost Proposal evaluation as provided in Section 6, Paragraph 2, Evaluation Criteria to reflect the scope clarification.

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SECTION SIX: EVALUATION AND AWARD

1. **Evaluation Process:** Proposals will be evaluated by a committee of three (3) or more individuals against the established criteria with points deducted for deficiencies. The Vendor who demonstrates that they meet all of the mandatory specifications required; and has appropriately presented within their written response and/or during the oral demonstration (if applicable) their understanding in meeting the goals and objectives of the project; and attains the highest overall point score of all Vendors shall be awarded the contract. The selection of the successful Vendor will be made by a consensus of the evaluation committee.
2. **Evaluation Criteria:** All evaluation criteria is defined in the specifications section and based on a 1000 point total score. Cost shall represent a minimum of 300 of the 1000 total points.

The following are the evaluation factors and maximum points possible for technical and cost point scores:

• Qualifications and experience	100 Points Possible
• Approach and methodology (Project and Goals)	450 Points Possible
• Oral presentation	150 Points Possible
• Cost	<u>300 Points Possible</u>
Total	1000 Points Possible

Each cost proposal cost will be scored by use of the following formula for all Vendors who attained the minimum acceptable score:

Lowest price of all proposals

$$\frac{\text{Price of Proposal being evaluated}}{\text{Lowest price of all proposals}} \times 300 = \text{Price Score}$$

- 2.1 Technical Evaluation: The Agency evaluation committee will review the technical proposals, deduct points where appropriate, and make a final written recommendation to the Purchasing Division.
- 2.2 Minimum Acceptable Score: Vendors must score a minimum of 70% (490 points) of the total technical points possible. All Vendors not attaining the minimum acceptable score (MAS) shall be considered as non-qualifying; therefore, the cost bids will not be opened. A proposal may be deemed non-qualifying for a number of reasons including, but not limited to, the bidder's technical proposal failing to meet the minimum acceptable score and the bidder's technical proposal failing to meet a mandatory requirement of the contract. Certain information, such as technical scores and reasons for disqualification, will not be available until after

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the contract award, pursuant to **West Virginia Code §5A-3-11(h)** and **West Virginia Code of State Rules §148-1-6.2.5**.

- 2.3 Cost Evaluation: The Agency evaluation committee will review the cost proposals, assign appropriate points, and make a final recommendation to the Purchasing Division.

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Attachment A: Vendor Response Sheet

Provide a response regarding the following: firm and staff qualifications and experience in completing similar projects; references; copies of any staff certifications or degrees applicable to this project; proposed staffing plan; descriptions of past projects completed entailing the location of the project, project manager name and contact information, type of project, and what the project goals and objectives where and how they were met.

List project goals and objectives contained in Section 4, Subsection 4:

Qualifications and Experience: Vendors will provide in **Attachment A: Vendor Response Sheet** information regarding their firm and the proposed project team. Specifically, the vendor will provide:

Section 3, Subsection 3.1: Company Description: An overall description of the Vendor's company and including its lines of business, history, size, location, business philosophy, professional partnerships and certifications, and recent successes.

Vendor Response:

Section 3, Subsection 3.2: References: Three (3) current customer references, including at least two (2) from public sector customers. One reference must be from a user of a licensing and/or game checking system implemented at least one year ago and currently in use. For each reference, describe the customer and the project (s) and/or service(s) Vendor provided to them. References from projects of a similar size, scope, and complexity to the DNR ELS are preferred. Each reference should include the name, title, business address, phone number, and email address of a person who may be contacted.

Vendor Response:

Section 3, Subsection 3.3 Significant subcontractor company information and reference: Similar organizational background information (as in section 3.1 above) and one reference for any significant subcontractor (exclusive of affiliates). A significant subcontractor is defined as an organization undertaking more than ten (10%) (on a total cost basis) of the work associated with this RFP. The reference must be for a project or services provided in a role similar to that proposed for the subcontractor on the ELS project.

Vendor Response:

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Section 3, Subsection 3.4 Qualifications: Hunting, trapping, and fishing wildlife licensing systems and harvest reporting systems have several unique requirements not commonly found in the private sector or other types of government systems. Vendor should describe all successfully implemented projects in the last five years related to licensing and/or game checking systems. Projects that are in progress, but not actually completed, may be used. The vendor should have had primary responsibility for the various phases of the project including analysis, customization, construction, testing, pilot phases, and implementation. POS, internet licensing, and game checking system (via IVR, internet, and POS) experience should be included. Clearly describe the goals and objectives of the project and how they were met. Describe the role of any significant subcontractor(s) and provide description of at least one project relating to their proposed role in the ELS. A significant subcontractor is defined as an organization undertaking more than ten (10%) (on a total cost basis) of the work associated with this project.

Vendor Response:

Section 3, Subsection 3.5 Other subcontractors: Vendor should also identify non-significant subcontractors (those not identified in section 3.3 above) that will be involved in the development, implementation, training, hosting, and on-going support of the system. The primary vendor will be responsible for any and all work performed by subcontractors.

Vendor Response:

Section 3, Subsection 3.6 Project Team Organization and Description: Vendor proposal should include an organization chart(s) depicting members of the project team, and their roles. Key roles/personnel should be designated. An accompanying description should include key roles, staff qualifications, applicable certifications or degrees, proposed staffing plan for all phases of the project (including during the post implementation portion of the contract), and where the work will be performed. Minimally, resumes for key staff should be included. Note: Resumes are not to include personal information that will, or will be likely to, require redaction prior to release of the proposal. This includes home addresses and phone numbers, Social Security Numbers, Driver's License numbers or numbers from state ID cards issued in lieu of a Driver's License, financial account numbers, etc. If the DNR requires any of this information for security verification or other purposes, the information will be requested separately and as necessary.

Vendor Response:

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Utilize Appendix B System Functionality Checklist for your response to this subsection.

Section 4, Subsection 4.1: System Functionality Checklist – The System Specifications identified in Appendix A are designed to assess the vendor’s capabilities for designing, implementing, and supporting the ELS. Vendors should complete Appendix B to indicate how each specification is to be achieved by placing an “X” in the appropriate column. Remarks for clarity can be placed in the “Comments” column. Vendors should respond to each specification.

The vendor capabilities are defined as:

Currently Supported: The specification is currently supported by the vendor’s proposed solution and no customization is required.

Planned by Implementation Date: The specification is not currently supported by the vendor’s proposed solution but is going to be included when the proposed solution is delivered to DNR for implementation.

Custom Development: The vendor is going to satisfy this specification by developing a custom solution.

Not Offered: The specification is not offered in the vendor’s proposed solution.

Vendor Response:

Section 4, Subsection 4.2: Infrastructure – DNR desires the vendor to host, operate, and support the ELS for the life of the contract. The vendor should demonstrate to DNR that their proposed solution is running on hardware with a system architecture that is sustainable and scalable. Additionally, demonstrate to DNR that the hardware is housed in a safe and secure facility.

4.2.1 Computing Platform – The vendor should describe the hardware and software architecture of the proposed solution in enough detail so DNR can understand the sustainability of the design through the life of the contract. Specifically, the vendor should:

4.2.1.1 Show architectural design of the IT hosting infrastructure including the server and network components and any user components interacting with the hosting facility. Identify any major software required, the relational database management system (RDBMS) you propose, and the development language your proposed solution uses. Comment on the advantages of the architecture and why it was selected.

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4.2.1.2 Show all major network components including manufacturer names and model numbers.

4.2.1.3 Explain how the system architecture is going to support growth of the database and additional transactions over time.

4.2.1.4 Explain how the operating system and database management software are going to be maintained at current release and patch levels.

4.2.1.5 Identify (if any) hardware and/or software required by the state for implementation, operation, and ongoing support of the ELS.

4.2.2 Hosting Facility – The vendor should describe the hosting facility in enough detail so that DNR can understand how the vendor is going to assure the integrity and safety of DNR’s data and the hardware on which it resides. Include such topics as the construction of the production facility; the area within the facility where the servers are housed; fire, water, and intrusion protection; firewall protection; emergency and backup power; and general overall building security. Describe any ISO certifications or compliance with governmental standards pertaining to the security of the hosting system. Explain how any external interfaces are going to be implemented to ensure the security of DNR’s systems and data.

The vendor should explain backup procedures including frequency and method, what backup is going to be stored on site and what backup is going to be stored offsite, the retention time for each backup, and the method used to transport backup media to the offsite location.

Vendor Response:

Section 4, Subsection 4.3: Project Management – The successful vendor should be responsible for the overarching management of the project from start-up through implementation. The vendor should describe its experience in using a formal methodology for project management which is compliant with the Project Management Institute's (PMI) Project Management Body of Knowledge (PMBOK).

In the sections that follow, the vendor should describe its approach to managing various phases of the project. The vendor should describe the project management tools, standards, controls, and procedures that are going to be utilized to create a proven, reliable process. The intent of this information is to provide assurance to DNR of the vendor’s demonstrated ability to manage large, complex software projects in a manner that ensures quality, project success, long-term viability, and lowest cost of ownership.

The West Virginia Chief Technology Officer has established a Project Management Office (PMO) responsible for providing oversight for state agency information technology projects. The Vendor's proposed project management methodology should be consistent with the West Virginia

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Office of Technology (WVOT) Project Management Methodology. This methodology closely follows the Project Management Institute's (PMI) Project Management Body of Knowledge (PMBOK). Additional information on the WVOT Project Management Methodology may be found on WVOT's web site at <http://www.wvot.gov/>.

4.3.1 Project Plan – The vendor should present a project plan that demonstrates a consistent and coherent management plan for this project. The vendor should provide the project plan in Microsoft Project showing all major project tasks on a week-by-week schedule to serve as the basis for managing the project. The project plan should include enough detail to give DNR an understanding of your knowledge and approach to the project. Provide details on when milestones and deliverables are going to be completed. Clearly demonstrate how the project is going to be fully operational by the implementation date. Describe any risk associated with the forecasted milestones.

Using the organizational diagram provided in response to 3.6 above, describe the proposed organization and management structure you plan to implement during this project. Explain your approach to managing the project and guiding project execution. Document your planning assumptions and decisions. If you are proposing using subcontractors, discuss your approach to managing the subcontractors.

Indicate what resources (office space, equipment, etc.) the Agency is expected to provide during each project phase. Describe in detail the number and roles of Agency personnel who you expect to be needed in each phase of the project. Indicate whether the involvement is expected to be full time or part time.

On a bi-weekly basis, the vendor's Project Manager should facilitate status meetings to discuss project activities and address issues and concerns. Explain your approach to communications among stakeholders and include a management and escalation process for issue resolution. Define the management review process as it relates to scope and content.

4.3.2 UAT - Describe in detail your approach to managing and conducting User Acceptance Testing (UAT). Include a discussion of the test plan and how you anticipate managing it. Discuss your approach to developing, managing, and archiving test scripts and testing artifacts, including the source of your test scripts. Describe the testing environment, identify where the testers are going to be physically located, and the makeup and roles of the testers. Identify the defect tracking software you propose to use and discuss how defects are reported, managed, and resolved.

4.3.3 Specifications Management - DNR has defined the specifications (often referred to as system requirements) for the new ELS in Appendix A. The vendor should understand the contents of Appendix A, and should implement a solution that meets or exceeds those specifications. Discuss the methodology and tools (software, for example) you propose to use to manage the

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specifications to assure complete traceability so that the solution you deliver meets, at a minimum, those specifications.

Vendor Response:

Section 4, Subsection 4.4: Conversion – DNR maintains agent and customer data in the POS system, and customer data in the internet and lifetime license systems. DNR maintains separate and independent databases for POS customers, internet customers, and lifetime license customers. All three systems include current licenses and license history for each customer. DNR also maintains license items by calendar year. The vendor should convert all existing data to the ELS. The vendor should reference Appendix D – Current System Database Layout.

- 4.4.1 The vendor should have conversion experience. Describe your approach to converting DNR data and explain the role DNR is going to play in the process. Discuss problems you have encountered in previous conversion projects and how you resolved them.
- 4.4.2 Although DNR is going to provide scrubbed data, the vendor may employ methods of validating the data prior to importing to the ELS. Explain your approach to validating the data, and the role DNR is to play in the process. Cite examples from other conversion projects.
- 4.4.3 The vendor should employ methods to ensure that all data is converted from the existing systems to the ELS. Discuss the methodology you are going to employ to account for all DNR data. Include a discussion of the audit trail you are going to maintain and how a converted record in the ELS database can be traced back to the source.
- 4.4.4 The vendor should retain the ID numbers currently assigned to POS agents. Describe your approach to retaining these Agent IDs and how an agent is going to be identified in the ELS.
- 4.4.5 Customers in the current system do not have ID numbers. The vendor should assign a unique Customer ID to each customer in the ELS. Discuss your approach to assigning customer ID numbers during conversion.
- 4.4.6 Customers in the current system reside in three separate databases. When the vendor consolidates the customers from these three databases, it's likely the vendor is going to encounter duplicate customers. Explain your approach to:
 - 4.4.6.1 Identifying potential duplicate customers;
 - 4.4.6.2 Determining which of the duplicate customer records should become the “new” customer;

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- 4.4.6.3 Associating current licenses and license history with the new customer;
- 4.4.6.4 Maintaining an audit trail to trace the licenses from the “new” customer back to the original customer(s);
- 4.4.6.5 “Unmerging” if necessary.
- 4.4.7 The vendor should execute the production conversion process as few times as possible. Discuss your approach to efficient conversion and how the ELS pilot may impact that conversion philosophy.

Vendor Response:

Section 4, Subsection 4.5: Implementation and Roll-out – DNR currently has 280 license agents making paper-based and POS-based sales. Many of the agents are expected to transition to the ELS although DNR does expect some attrition. The vendor should be responsible for implementing the ELS at agent sites.

- 4.5.1 A complete proposed implementation plan with well defined dates and milestones should be included in the project plan. The vendor and DNR should review and jointly approve the implementation plan. The vendor should include implementation status in the bi-weekly status report. Any issues should be identified and a plan of corrective action should be approved by DNR. Describe how you plan to implement the ELS and your approach to resolving issues that arise during implementation.
- 4.5.2 The vendor should conduct a pilot of the ELS. Describe how you propose to select and approach agents to be included in the pilot. Describe how you expect the pilot to be conducted and how issues discovered during the pilot are going to be identified, tracked, and resolved to the satisfaction of DNR.
- 4.5.3 The vendor and DNR should jointly evaluate the results of the pilot. Following DNR’s approval of the pilot, the vendor should roll out the ELS to all participating license agents. The vendor should transition existing agents to the ELS and new agents should be added. Describe your approach for obtaining DNR’s approval for roll-out and how you expect to plan and conduct a successful state-wide implementation.

Vendor Response:

Section 4, Subsection 4.6: Training – To ensure a successful implementation, the vendor should provide ELS training for agents and DNR personnel. Curriculum topics should be relevant to

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West Virginia policy associated with the new ELS. Agent training should include POS agents, the Elkins Operations Center personnel, county clerks, and state park staff. DNR personnel should receive all agent training plus training specific to administration and operation of the ELS.

- 4.6.1 Agent Training – The vendor should provide training for license agents. Due to the rural nature of West Virginia, it is not feasible to conduct agent training at one central location. The vendor should offer localized training coordinated with the deployment of the ELS.
 - 4.6.1.1 The vendor should present the training curriculum to DNR for approval prior to any agent training. Discuss your training curriculum and describe your approach to the DNR presentation.
 - 4.6.1.2 A complete training plan with well defined dates should be included in the project plan. The vendor and DNR should review and jointly approve the training plan. Discuss your approach for developing the overall training plan.
 - 4.6.1.3 Describe your methodology for dividing the state into regions for localized training. Describe the attributes of an appropriate training facility and discuss how you expect to locate appropriate training facilities.
 - 4.6.1.4 To maximize the value, agent training should coincide with the deployment of the ELS. Discuss how you propose to accomplish this. Include a timeframe.
 - 4.6.1.5 The vendor should offer classroom led training for the agents. Describe your approach to agent training. Discuss the training materials you are going to use and what the agent is going to take home for reference such as POS help cards.
 - 4.6.1.6 For a number of reasons, some agents may not be able to attend the training. Describe options for those agents such as video or DVD presentations.
 - 4.6.1.7 Discuss other similar training you have conducted. Cite examples where appropriate.
- 4.6.2 DNR Training – The vendor should provide training at DNR Headquarters for DNR staff. In addition to the basic training given to the agents, training for DNR staff should include administrative functionality such as production of lifetime licenses, walk-in sales, alternate methods of payment, and reports. The training schedule should not interfere with the ongoing day-to-day business activities at DNR.
 - 4.6.2.1 DNR training should focus on the administrative processes required to use and support the ELS. Describe the DNR training curriculum. Cite examples of similar training for other clients.

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4.6.2.2 Describe how you propose to schedule training that is not overly disruptive to daily DNR business.

4.6.2.3 Describe how you would approach break-out sessions for specialized DNR training. Cite subjects where break-out training is appropriate.

Vendor Response:

Section 4, Subsection 4.7: SDLC Methodology – Vendors should utilize an appropriate system development lifecycle (SDLC) methodology that is going to lead to the successful development and implementation of the ELS in a predictable and timely fashion. Describe your SDLC methodology and how your methodology meets the goal of a successful and timely ELS implementation. Cite examples if necessary. Describe the tools you utilize in support of your methodology, e.g., automated testing software.

Vendor Response:

Section 4, Subsection 4.8: License Sales – DNR desires two methods to sell licenses: at agent locations using a POS device and via the internet; DNR may be considered an agent. The vendor should demonstrate to DNR that they understand and support each of these sales types.

4.8.1 POS Sales - DNR wishes to offer the customer the opportunity to purchase hunting, trapping, and fishing licenses at retail (agent) locations, allowing the customer to purchase their license while picking up their hunting and fishing supplies. The purchase process should be quick and efficient for both the customer and the selling agent. The customer should be able to purchase any license DNR designates as a license that can be sold by an agent.

4.8.1.1 Keeping in mind the needs of DNR and their agents (225 of whom are going to require complete POS configurations from the vendor and 45 of whom are going to require vendor-provided peripherals attached to agent owned PCs), describe completely your recommended POS configuration(s) including software and hardware (specifying any attachments or peripheral devices).

4.8.1.2 In general terms, discuss your approach to purchasing a license at an agent location via a POS device. Discuss how your proposed solution guides the agent and customer through the sale, including verifying information and prompting the customer to sign electronic affidavits. Explain how your proposed solution identifies and presents appropriate licenses to the agent and customer.

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- 4.8.1.3 As one of the first steps in the sales process, the agent is going to attempt to locate a customer in the ELS. Address how the agent finds a customer in the ELS or adds a customer not in the ELS.
- 4.8.1.4 The POS device should be connected to the host during the sales process. Discuss how your proposed solution is going to execute real time searches and how updates to the ELS database are going to occur. Explain the impact to your proposed solution if the connection is lost before the sale is completed and what steps the agent should take to recover lost data.
- 4.8.1.5 DNR has business rules that should be applied to each sale. Discuss your approach to applying business rules to the sale and prompting the agent when a rule is violated.
- 4.8.1.6 Discuss your approach to the agent presenting the HIP survey, optional DNR surveys, and donations to the customer. Discuss how the survey and donation information is managed and made available to DNR.
- 4.8.1.7 The ultimate goal of the agent is to print the license purchased by the customer. Discuss your approach to associating each license component to the printed license, the agent and user selling the license, and the customer purchasing the license. Address the process DNR would follow to trace a license transaction to the selling agent and/or the customer.
- 4.8.1.8 The ELS should produce certain accounting and historical reports for the agent. Address the information your proposed solution makes available to the agent.
- 4.8.1.9 Address your approach to reprinting licenses no matter where they were originally sold, and any differences there may be between a license sold by a POS agent and a license sold on the internet. Include a discussion on the contents of the reprinted license, identification of the license as reprinted, and the reprint audit trail.
- 4.8.1.10 Discuss your approach to requesting a license void, including instances when the void request cannot be processed.
- 4.8.1.11 The POS device should have a “training mode” to allow agents to train without updating the database or creating valid licenses. The vendor should address how the POS device operates in training mode; what licenses, transactions and reports are created in training mode; and how the transactions are going to be identified as training.
- 4.8.1.12 Certain hunters are not required to purchase a license, although they are required to complete the game check process. Discuss the process of adding a non-licensed hunter to the ELS using a POS device.

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4.8.2 Internet Sales - Purchasing a license via the internet should be a quick and rewarding experience, leaving the customer with a positive image of DNR. With minimum effort, the customer should be able to purchase any license that DNR designates as a license that can be sold over the internet.

4.8.2.1 In general terms, discuss your approach to purchasing and printing a license from the internet. Discuss your approach to guiding a customer through the sale process. Explain how your proposed solution is going to distinguish a new customer from a returning customer, how a returning customer locates their customer record, and how a new customer creates their customer record.

4.8.2.2 DNR has business rules that should be applied to each sale. Discuss your approach to applying business rules to the sale and prompting the customer to reenter or correct information that violates a rule.

4.8.2.3 Conditions such as revocation may prevent a customer from purchasing a license. Discuss how the customer should be notified that the sale cannot be completed. Include a discussion of notifying DNR law enforcement of these attempted purchases.

4.8.2.4 West Virginia Treasury is the clearing house for all credit card transactions; your proposed solution should provide a seamless interface with the West Virginia Treasury credit card process. Discuss how your proposed solution addresses interfacing to the West Virginia Treasury. If the credit card transaction is denied, how is the customer going to be notified and are they going to have the option to enter another credit card?

4.8.2.5 The ultimate result of the internet purchase is the desired license. Discuss how the customer prints (or reprints) the license.

4.8.2.6 Discuss your approach to presenting the HIP survey, optional DNR surveys, and donations to the internet customer. Discuss how the survey and donation information is managed and made available to DNR.

4.8.2.7 Certain hunters are not required to purchase a license, although they are required to complete the game check process. Discuss your approach to managing these non-licensed hunters.

4.8.2.8 A customer should be prevented from making certain demographic changes based on current licenses. Describe the circumstances where a demographic change would be prevented and what action, if any, the customer should take.

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- 4.8.2.9 Address your approach to reprint a license on the internet. Include a discussion on the contents of the reprinted license, identification of the license as reprinted, and the reprint audit trail.
- 4.8.2.10 Describe your approach to voiding a license sold through the internet.
- 4.8.3 Lottery Methods – During any given season, an individual can apply for one or more limited permit activities. The ELS should support the issuance of permits for specific areas and timeframes that may have species, gender, antler, and/or weapon restrictions. Permits should be awarded based on the outcome of a lottery.
 - 4.8.3.1 In general terms, discuss your approach to issuing permits based on the outcome of a lottery. Include a discussion on the application methods and process and the various lottery methods included in your proposed solution. Discuss criteria your solution employs to weight a hunter's chances for winning the lottery. Explain how your proposed solution notifies the successful hunter and how the permit is issued.
 - 4.8.3.2 Some hunters may be permitted to apply for a limited permit activity as a group on a multi-party application. Discuss your approach to multi-party applications and any unique features your proposed solution may offer DNR.
 - 4.8.3.3 The ELS should allow for the submission of applications for future activities. Discuss your approach for accepting these applications and issuing permits to the winning hunters. Address any special considerations if a fee is submitted with the application and how overpayments and refunds are handled.
 - 4.8.3.4 A hunter may apply for a limited permit activity without having the proper base license. Discuss how your proposed solution enforces business rules if the hunter wins the drawing.
 - 4.8.3.5 Discuss your approach to allocating permits by quota. Explain various methods for applying for the permit and issuance of the remaining permits if the quota is not yet met.
- 4.8.4 Agent Help Desk – The vendor should provide help desk services for agents and DNR. The help desk should be available seven (7) days/week from 9:00 am to 9:00 pm except during the month of November when help desk should be available on a 24x7 basis.
 - 4.8.4.1 Discuss your approach to providing help desk services to agents and DNR. Explain how your call center queue is managed, your ability to resolve problems on the first call, and typical time to resolve. Explain your approach to dealing with irate agents. Explain how a call is

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escalated from Level 1 to Level 2 support and what that means to the agent.

4.8.4.2 From your experience, cite examples of typical help desk calls and how each call was resolved.

4.8.4.3 Explain the tools you are going to employ to log, manage, and resolve problems with hardware, software, and infrastructure. Describe your approach to defining, capturing, and producing metrics for the help desk service, including the metrics that are going to be made available to DNR. Discuss your approach to resolving recurring problems.

4.8.4.4 Explain how the agent help desk is going to interact with DNR's licensing section.

4.8.5 Lifetime License Sales – Qualified West Virginia sportspersons have several lifetime licenses they may purchase. The resident senior lifetime license can be sold by a POS agent while the adult and infant lifetime licenses can be sold at DNR headquarters only. Discuss your approach to the sale, processing, and issuance of the various lifetime licenses.

Vendor Response:

Section 4, Subsection 4.9: Game Checking – DNR desires to replace the current paper-based game checking process with a new automated reporting process. The new system should allow the successful hunter to report the harvest at a POS agent site, using the internet, or using the telephone (via IVR). In addition, the new system should tailor the collection of information specific to the species, require a minimum amount of effort by the hunter, and provide the hunter an overall rewarding experience. The collected data should be available for analysis and reporting by the biologists at the Elkins Operations Center (via the replicated database).

4.9.1 The game checking process should provide for efficient and accurate reporting of successful hunts (harvests) while not placing a burden on the hunter. The vendor should address their approach to collecting the game check information. The discussion should include checking game at an agent site, checking game on the internet, and checking game using the telephone. When discussing each check method, include your approach to guiding the hunter through the check process, validating the hunter provided information, and communicating back to the hunter when incorrect information is provided.

4.9.2 The harvest information collected may vary by species and may change from one year to the next. The vendor should describe how DNR can change the

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information being collected. Be specific by POS, internet, and IVR. The vendor should include a discussion on modifying the IVR script.

- 4.9.3 For research purposes, DNR may wish to associate harvest information with the hunter. The vendor should discuss how the hunter and harvest are associated.
- 4.9.4 Not all hunters are required to purchase a license. However, these non-licensed hunters are required to check their game. The vendor should address how non-licensed hunters check game. Be specific by POS, internet, and IVR.
- 4.9.5 DNR should have the capability to execute predefined queries against the production database. The vendor should address searches on the production database, how to predefine the searches/queries, how to access the information, and any impact the search/queries may have on production.

Vendor Response:

Section 4, Subsection 4.10: Accounting & Related Functions – Agents are required to maintain a checking or savings account and allow DNR to periodically “sweep” the account to collect monies due DNR from license sales. The new system should generate Electronic Fund Transfer (EFT) transactions to be used by the West Virginia Treasurer to perform the sweep. The ELS should also generate accounting transactions (cash basis) for the State’s GCI Advantage (OASIS) accounting system.

The ELS should maintain an audit trail for all transactions, track void license requests, and allow real-time searches.

- 4.10.1 EFT - Each agent is required to have a checking or savings account from which transfers of license sales money can be authorized.
 - 4.10.1.1 The ELS should not have direct access to the agent’s bank account information (routing number and account number). Explain how your proposed solution is going to protect the agent bank account information.
 - 4.10.1.2 Certain corporations, such as Walmart or Kmart, prefer to sweep from a corporate account. In practice, each individual Walmart or Kmart agent would transfer the appropriate monies to the corporate account prior to the sweep. The ELS should associate the individual agents to a corporate account and generate only one sweep transaction. Explain how this occurs in your proposed solution.
 - 4.10.1.3 Prior to executing the sweep, the agent should receive a pre-sweep notice, alerting them of the pending sweep, the date of the pending sweep, and the amount of the sweep. In your proposal, explain:

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- 4.10.1.3.1 The method your solution employs to notify the agent of the pending sweep;
- 4.10.1.3.2 The method your solution employs to notify the individual agents and the corporation of the pending corporate sweep;
- 4.10.1.3.3 The method your solution employs to notify DNR of the detail of the pending sweep.
- 4.10.1.4 Currently, DNR sweeps agents once per month, although that schedule could change. In your proposed solution:
 - 4.10.1.4.1 DNR should have the ability to change the sweep date or frequency for an agent or group of agents. Explain the method for changing the sweep frequency;
 - 4.10.1.4.2 The EFT process should include all sales and approved voids for the agent. Explain your approach for determining the sales and approved voids to be included in the sweep;
 - 4.10.1.4.3 The current sweep should include sales and approved voids from previously failed sweeps. Explain how sales and approved voids from previously failed sweeps are identified and included in the current sweep;
 - 4.10.1.4.4 Explain how your proposed solution builds the EFT transactions for the sweep;
 - 4.10.1.4.5 From time to time, DNR may desire to execute an on-demand sweep of an agents account. The ELS should support this functionality. Explain how an on-demand sweep is executed.
- 4.10.1.5 Normally, the agent should have monies available in their checking or savings account to cover the sweep amount. However, there may be times when the sweep occurs and the money isn't available. Treasury is going to report back to the ELS on the success or failure of each agent's sweep. In your proposed solution:
 - 4.10.1.5.1 Explain how Treasury should report a successful sweep to the ELS;
 - 4.10.1.5.2 Explain how Treasury should report a failed sweep to the ELS;
 - 4.10.1.5.3 The ELS should manage failed sweeps. Explain how failed sweeps are tracked and reported to DNR.

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- 4.10.1.6 From time to time, DNR may have to adjust the sweep amount generated by the ELS. The ELS should allow DNR to make and account for adjustments to the sweep amount. Explain how your proposed solution handles the adjustments, how the original accounting transactions generated by the sweep are impacted, and what accounting transactions are generated to record the adjustment.
- 4.10.1.7 When a sweep fails because the agent does not have sufficient funds in their account, the ELS should accept another form of payment such as a cashier check.
- 4.10.2 DNR Accounting - The ELS should generate cash basis transactions for the state's CGI Advantage accounting system referred to in West Virginia by the name OASIS.
 - 4.10.2.1 Each sale transaction should generate proper accounting transactions for the OASIS system. Discuss how your approach addresses creation of the accounting transactions, especially when a transaction is distributed to several income accounts. Explain how your proposed solution calculates the distribution.
 - 4.10.2.2 The OASIS accounting transactions should be created on a cash basis. Address a solution if your proposed solution does not generate cash basis transactions.
 - 4.10.2.3 Discuss your approach to generating the appropriate accounting transactions for an approved void.
 - 4.10.2.4 Customers can purchase licenses at DNR Headquarters on a walk-in basis. Often, these customers pay using an alternate method such as cash, check, or money order. Discuss your approach for accepting alternate methods of payment and the impact on the OASIS transactions.
 - 4.10.2.5 In rare circumstances, DNR may have to issue a refund for a license purchase. Discuss your approach to recording the refund in the ELS and the OASIS transaction that are going to be generated.
- 4.10.3 Void Licenses – An agent can, within a certain period of time, request a license that they sold be voided.
 - 4.10.3.1 Within a certain time of the sale, agents can request that a license be voided. Discuss how a customer requests a void from a POS agent and track that void request through the system until DNR approves the void. Describe what happens if the physical license is not returned to DNR by the agent requesting the void.
 - 4.10.3.2 Discuss your approach to creating the audit trail and tracing a void request or approved void back to the original license sold.

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4.10.4 Audit Trail – Any action in the ELS should be traceable to its source.

4.10.4.1 DNR should be able to trace all POS and internet sales to the source of the sale. Discuss your approach to building an audit trail, considering any differences between a POS sale audit trail and an internet sale audit trail. Explain how, if needed, DNR would trace a sale to its source.

4.10.4.2 A typical sale consists of more than one license item. Discuss your approach for associating individual license items to the sale.

4.10.4.3 Discuss your approach for tracing a reprinted license to the original license(s).

4.10.4.4 Discuss how an EFT transaction or an accounting transaction traces to the individual sales, approved voids, and adjustments.

4.10.4.5 Discuss your approach to associating the user making the change to agents, customers, and license items. Explain how your proposed solution identifies the data changed.

Vendor Response:

Section 4, Subsection 4.11: Other Functionality

4.11.1 Administration – Administrators control access to the ELS at several levels.

4.11.1.1 Each POS agent should have at least one POS device, one POS administrator, and one POS user. The vendor should address how DNR manages POS administrators; how POS administrators manage POS users; and the impact, if any, of multiple POS devices at an agent site. Include a discussion of how user IDs and passwords are administered at all levels.

4.11.1.2 At Headquarters, DNR administrators should control all access to the ELS. The vendor should address the importance of the DNR administrator, how the DNR administrators control access to the ELS, and the significance user roles play in the ELS.

4.11.1.3 DNR administrators and agent help desk staff have functionality to reset POS administrators' passwords. POS administrators can reset the passwords for their POS users. Address why a password would need to be reset and how the process works in your proposed solution.

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- 4.11.2 Replicated Database – On a daily basis, the ELS vendor should provide DNR with a replication of the ELS production files. DNR is going to be responsible for loading and maintaining these files and the database on a server provided by DNR. DNR is going to use the replicated database for certain canned and ad-hoc reports. Address the method of securely transmitting the files to DNR. Identify any software, such as a DBMS, that is going to be required by DNR.
- 4.11.3 Duplicate Customers - DNR understands the difficulty in identifying a customer the first time, every time. The vendor should address how the proposed solution is going to identify potential duplicate customers and allow authorized DNR personnel to merge customer information from multiple records to create a single merged record. Explain how to deactivate prior records. Address identification of invalid business situations that may occur as a result of merging licenses and how an “unmerge” process would work.
- 4.11.4 Personal Identification Information - By its nature, the ELS is going to capture and store personal and confidential information for customers and users. Personal Identification Information (PII) may consist of passwords, SSNs, name, address, DOB, or license numbers. DNR wishes to be assured that this information is secure and protected, whether at rest in the database or in transit. Describe your approach to protecting PII in the ELS and the encryption method, if any, you are going to employ. Address specific situations including protecting PII during license sales, in backup files, and in reports and maintenance logs.

Vendor Response:

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Attachment B: Mandatory Specification Checklist

List mandatory specifications contained in Section 4, Subsection .5:

Section 4, Subsection 5.1: System Operation and Hosting: The Vendor shall be responsible for hosting the ELS through all stages of the project, including post-implementation production. Vendor shall provide all necessary infrastructure including hardware, software (e.g., O/S, application middleware, RDBMS), network connectivity, personnel, policies procedures, and facilities to operate all aspects of the ELS.

Vendor Response:

Section 4, Subsection 5.2: License Voids and Reprints: The Vendor shall provide a solution that:

- Prevents an internet-issued license from being voided by anyone other than authorized DNR staff;
- Prevents an internet-issued license that has been voided by authorized DNR staff from being reprinted;
- Denies all requests by a POS agent to void a license when a reprint of the license has occurred; and
- Prevents a POS-issued license from being reprinted if it has been voided (or requested to be voided).

Vendor Response:

Section 4, Subsection 5.3: Use of the West Virginia State Treasurer's Office: The vendor shall utilize the West Virginia treasurer's Office and its E-Government program for the secure collection of monies via credit/debit cards as well as for Electronic Funds Transfer of agent-collected fees in accordance with the (draft) agreement and conditions presented in Appendix E. See "CHAPTER 12. PUBLIC MONEYS AND SECURITIES, ARTICLE 3A. FINANCIAL ELECTRONIC COMMERCE" at

<http://www.legis.state.wv.us/WVCODE/Code.cfm?chap=12&art=3A#03A> for the complete code relating to the Treasurer's responsibilities and obligations.

Vendor Response:

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Section 4, Subsection 5.4: Project Management: The successful bidder will be required to utilize a formal methodology to project management, which is compliant with the PMBOK and WV Office of Technology (WVOT) Enterprise Project Management Office (EPMO) and includes the following:

- 5.4.1 The successful vendor must assign a project manager to the project who will be responsible for the successful completion of all work tasks and deliverables as defined within the project work plan and will work under the direction of the DNR's Project Manager and under oversight direction from the WVOT Project Manager to ensure that all work is performed in accordance with the terms and conditions of the contract.
- 5.4.2 The successful vendor's Project Manager will be required to maintain a detailed project work plan through the full term of the implementation process. The vendor's Project Manager will be required to submit an updated work plan to the DNR's Project Manager and WVOT Oversight Project Manager on a date and time that will be determined during contract negotiations. Vendor must complete the entire effort as expeditiously as possible after the contract is awarded. The system must be successfully implemented by January 1, 2015.
- 5.4.3 The successful vendor's Project Manager will be required to track and report on via status reports the following: schedule, scope, budget, issues, risks, specified performance indicators, and other metrics determined appropriate when establishing the project Charter. The successful vendor will work with the DNR Project Manager and the WVOT Oversight Project Manager to establish, publish, and follow a formal communications plan.
- 5.4.4 WVOT Project Management Oversight - Pursuant to **West Virginia Code § 5A-6-4b**, the WV Office of Technology (WVOT) Enterprise Project Management Office (EPMO) has the responsibility for managing information technology projects and providing oversight for state agency information technology projects. EPMO uses a project management methodology based on the Project Management Institute (PMI), Project Management Body of Knowledge (PMBOK). EPMO offers a methodology to its customers and their vendors that encompass a variety of templates and tools for project management.

Project oversight is an independent review and analysis of project artifacts and processes to determine if the project is on track, to be completed within the estimated schedule and cost, and will provide the functionality required by the sponsoring organization. The WVOT Project Manager performing oversight for the ELS project will ensure the contracted Project Manager utilizes a formal methodology for project management, which is compliant with the PMBOK. Specifically, project oversight:

- 5.4.4.1 Establishes a governance structure for projects (and programs) to evaluate project performance, provide resources, address significant

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project risks and issues, and approve significant changes in scope or objectives.

5.4.4.2 Requires formalized project communications to provide accurate, timely communications related to project progress, budget, schedule, scope, and changes.

5.4.4.3 Identifies and quantifies any issues and risks that could negatively impact the achievement of project objectives.

5.4.4.4 Periodically, assesses and confirms the concept, scope, and objectives of the project.

5.4.4.5 Validates compliance with the project management methodology and ensures that project management standards and best practices, as appropriate for the given project, are followed and documented throughout a project life-cycle.

5.4.4.6 Evaluates a project team's performance using a prescribed set of checks and balances integral to established processes such as strategic planning, investment management, funding, and project execution.

Vendor Response:

By signing below, I certify that I have reviewed this Request for Proposal in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that, to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

(Company)

(Representative Name, Title)

(Contact Phone/Fax Number)

(Date)

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Attachment C: Cost Sheet

Cost information below as detailed in the Request for Proposal and submitted in a separate sealed envelope. Cost should be clearly marked.

One-time start-up costs: Some agents will use their own PC with vendor-provided peripherals. For pricing purposes, vendors should assume 45 agents will use their own PC with vendor-provided peripherals.

One-time Start-up Costs					
Task		Licensing	Game Checking	Total	
1	System Analysis, Design, and Development and/or Customization, Unit and System Testing	\$	\$	\$	
2	Agent & DNR Training	\$	\$	\$	
3	User Acceptance Testing and Pilot	\$	\$	\$	
4	Implementation	\$	\$	\$	
5	Data Conversion	\$	N/A	\$	
6	Supply Comprehensive System Hosting, Infrastructure, and Installation	\$	\$	\$	
7	All devices and supplies to enable a Point of Sale installation for 225 agents (full configuration)	\$	N/A	\$	
8	All devices and supplies to enable a Point of Sale installation for 45 agents (agent supplied PC)	\$	N/A	\$	
9	Other (vendor must identify)	\$	\$	\$	
A. Subtotal One-time Start-up Costs		\$	\$	\$	

Annual Recurring Costs After Implementation: IT hosting and infrastructure, operations, support, maintenance, help desk, and POS license stock. Include costs for replacement printer and scanner for POS license agents (as/when needed). Maintenance costs are only designed to start the year after implementation and would continue until the initial seven (7) year term expires. If implementation occurs prior to January 1, 2015, maintenance costs will be pro-rated on a monthly basis.

Annual Recurring Costs After Implementation			
Year	Licensing	Game Checking	Total Annual Cost
2	\$	\$	\$
3	\$	\$	\$
4	\$	\$	\$
5	\$	\$	\$

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6	\$	\$	\$
7	\$	\$	\$
B. Subtotal Annual Recurring Costs			\$

Development Contingency Pool: The staff for the development contingency pool must include IT staff with an appropriate mix of skills and experience to meet DNR’s future development needs. Firm, fixed pricing based on a rate for IT staff must be used for the contingency pool charges. The proposed rate will be used for all changes to the system after RFP requirements have been met.

1000 hours at \$ _____ per hour = \$ _____ Total

C. Subtotal Development Contingency Pool	\$
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Total Fixed Price Summary	
A. Subtotal One-time Start-up Costs	\$
B. Subtotal Annual Recurring Costs	\$
C. Subtotal Development Contingency Pool	\$
Total Fixed Price (Subtotals A + B + C)	\$

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If applicable, sign and submit the attached Resident Vendor Preference Certificate with the proposal.