



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

Solicitation

NUMBER
COR61453

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
TARA LYLE 304-558-2544

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIVISION OF CORRECTIONS
 1409 GREENBRIER ST
 CHARLESTON, WV
 25311 304-558-8045

DATE PRINTED
12/26/2013

BID OPENING DATE: 01/22/2014 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS	915-77	ADDENDUM NO. 7 SEE ATTACHED PAGES. END OF ADDENDUM NO. 7 DIVISION WIDE INMATE TELEPHONE SYSTEM & SERVICE ***** THIS IS THE END OF RFQ COR61453 ***** TOTAL:		

SIGNATURE		TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

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

SOLICITATION NUMBER: COR61453

Addendum Number: 7

The purpose of this addendum is to modify the solicitation identified as COR61453 ("Solicitation") to reflect the change(s) identified and described below.

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

Description of Modification to Solicitation:

1. The bid opening has been extended from 01/07/2014 to 01/22/2014.
2. Responses to vendor questions attached.
3. A voluntary site tour will be announced by separate addendum.
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: January 13, 2014 at 5:00 pm
Submit Questions to: Tara Lyle, File 32

2019 Washington Street, East
Charleston, WV 25305
Fax: 304-558-4115

Email: Tara.L.Lyle@wv.gov

Additional Documentation: Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

Questions:

A1: **Regarding Section 3, Page 9, CONTRACT TERM; RENEWAL; EXTENSION, of the RFP:**
The DOC has stipulated a one (1) year contract term, with two (2), one (1) year renewal terms. Additionally, the DOC has included several requirements which will increase cost for all responding vendors. Finally, it is typical practice in bids of this nature that are released by State Departments/Divisions of Corrections to have contract terms of at least three (3) years, with some as long as five (5) years. This provides contractual stability to the agency as well as the ability for responding vendors to provide the best possible financial options to both inmate families and the agency. It is worth noting that item 5.48 references a refresh of the PC workstations at the beginning of every 4th year of the contract.
QUESTION: Will the State of West Virginia consider revising this section to allow for at least a three (3) year base term with two (2), one (1) year renewal options?

A1: Section 3 of the General Terms and Conditions has changed to reflect the contract term and number of renewals. The section now reads:

Term Contract

Initial Contract Term: This Contract becomes effective on award and extends for a period one (1) of 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 four (4) 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.

Q2: **Regarding Section 5.11 & 5.14, Pages 22-23 of the RFP concerning the detailed plan (5.11) and minimum required information (5.14):**
Section 5.11 indicates that the detailed implementation plan is due within 10 days after contract award. However, section 5.14 lists specific information that each vendor must address and present.
QUESTION: Is it the State's intention that each vendor address and present the items in 5.14 in the body of the RFP response, or is this information to be addressed in the detailed plan after award?

A2: The Agency prefers that the Vendor address and present its proposed implementation plan in the proposal/presentation. However, the Agency and Vendor will define all details after award.

Q7: Regarding Section 5.37.22, Page 27 of the RFP concerning TDD/TTY: 000004

Section 5.37.22 is one of several sections that reference TDD/TTY devices. However, there does not appear to be any specific indication of the required number of devices.
QUESTION: Will the State provide specific numbers for the required TDD/TTY devices on a per facility basis?

A7: See attached Exhibit A for number of phone devices.

Q8: Regarding Section 5.68, Page 32 of the RFP concerning fees and charges:

Section 5.68 states that fees and charges must be disclosed. Later in the RFP (Section 6, Page 35) the evaluation criteria for cost proposals is provided yet there is no mention of evaluation of fees.

QUESTION: Will the State confirm either that proposed fees will not be evaluated or provide a revised criteria describing how fees will be evaluated?

A8: The Agency hereby amends the cost sheet. Fees will be evaluated.

Q9: Will the vendors be escorted by a state representative, to survey a correctional facility as part of the pre-bid process?

A9: Yes, the Agency will schedule a voluntary site tour. At the time of this writing, vendors were invited and toured Ohio County Correctional Center, St. Mary's Correctional Center, Parkersburg Correctional Center, and Lakin Correctional Center. No additional site visits are scheduled. The voluntary site tour will be announced under separate addendum.

Q10: Would the WV DOC please provide the quantity of inmate phones, cordless/roll cart phones as well as the number of TTY/TDD units by facility?

A10: Yes, see Exhibit A, for number of phone devices by facility.

Q11: 5.37 13) Must have voice biometric technology integrated and offer related analysis tools and capabilities. Preference will be given to systems that have continuous voice analysis throughout the call duration. Agency will not accept "beta" for unproven technology. If offering continuous voice verification, please include a reference where this service has been in place for a minimum of 6 months.

There is a great deal of confusion in the corrections industry about what is meant by continuous voice verification. This confusion stems from each Inmate Calling System provider using the same term "continuous voice verification" to describe features of their own technology which are quite different than other ICS providers who use the same term. In an effort to help the DOC and the ICS companies clarify the DOC's requirements, we submit the following information and questions.

The key differences between the types of technologies are their abilities to provide different levels of identification/verification. At the lowest levels of continuous voice verification technology are products which provide information about when the original speaking inmate on the call hands the phone to another inmate who then speaks on the call. The goal of this type of technology is to alert the facility when the original inmate speaking on the phone call hands the phone to another inmate. Unfortunately, because this type of technology has no ability to validate the identity of a new speaker joining the call, it is frequently "fooled" because a television in the background, another inmate speaking in the background, a public address announcement or a significant amount of

background noise will fool these systems, causing them to false trip because they can no longer hear the original inmate speaking on the phone call.

000005

The second type of continuous voice identification/verification technology, unlike the type described in the previous paragraph, actually provides the identity of each inmate speaker. As soon as a new speaker enters the recorded conversation, the new voice is searched in the system voice database for a match. When a match is detected the identity of the speaker is stored in the system database for future searches and retrievals.

This second type of system is designed to eliminate the false reporting which occurs in the first type of system. It accomplishes this by only reporting a change in an inmate speaker when there is actually a new real inmate speaker on the call, not a television or background noise in the conversation. This type of system virtually eliminates the hundreds of false reports in a change in inmate speakers that is inherent in the first type of system.

The second more advanced type of technology “identifies all inmates on every call automatically”. The value of such technology is that it can detect mismatches between inmates who *should* be on a call, and those who shouldn’t. It is also capable of detecting & reporting patterns of phone system abuse, attempted abuse or likely abuse — all of which often suggest criminal activity. This latest technology identifies suspected abusers, and provides correctional agencies with an automated list of calls that are most likely to contain threats to vulnerable populations and public safety.

We submit the following questions in order to help make sure that the DOC receives the system and functions that they require.

Q11A: Does the DOC desire a continuous voice biometric analysis system that analyzes every second of every inmate phone call, stores the *identity* of the PIN used to place the call as well as the *identity* of each detected inmate who spoke on the call? If so, will the DOC consider changing the language to read as follows:

Contractor’s ICS must include voice biometric technology that includes (*both initial voice verification and automatic continuous identification*) Contractor must provide an overview of the technology and detail the enrollment process.

A11A: The Agency prefers the continuous voice biometric analysis system. By this addendum, the Agency agrees to change the requirement to preferred rather than mandatory.

Q11B: Does the DOC desire a continuous voice biometric analysis system that will display in the system call record information the *identity* of each inmate speaking on a call whenever a user retrieves a call or calls for investigation and/or listening?

Q11B: Preferred

Q11C: Does the DOC desire a continuous biometric voice analysis system that automatically generates reports that contain every phone call where the *identity* of each inmate other than the PIN owner inmate spoke on the call?

Q11C: Preferred

Q11D: Does the DOC desire a continuous biometric voice analysis system that will allow the DOC's investigators to search the system's call recording database by a particular inmate voice instead of only by PIN, phone number or some other data element in order to *identify* all inmates on every call no matter what PIN they are using?

A11D: Preferred

Q11E: Does the DOC desire a continuous biometric voice analysis system that utilizes inmate voice *identity* technology to provide reports that uncover Suspicious Calling Patterns that are highly correlated with phone calls that are likely to contain fraud and criminal activities?

A11E: Preferred

Q12: Must allow recording playback with the following features:

- a. **Separate the inmate side of the conversation from the called party side of the conversation in order to play on separate speakers for detailed analysis.**
- b. **Accelerate or decelerate the conversation, isolating the talk path of either party.**
- c. **Skip pauses in the conversation, isolating the talk path of either party.**
- d. **Easily enter notes to removable/portable storage media.**

- A12: a. **The Agency believes this is necessary in order for cleaner playback and enhance investigation;**
- b. **The Agency believes this is necessary for investigations;**
 - c. **The Agency believes this is necessary for investigations; and**
 - d. **The Agency believes this is necessary for investigations.**

Q13: Will the DOC consider changing the language to read: Must allow recording playback with the identity of each inmate displayed in the call playback application?

A13: **The Agency is unable to determine if the change you requested allows the above features in a-d.**

Q14A: Page 6 – Section Two – 6 “Bid Submission”

This subsection requires that both the technical and cost proposals be in separate envelopes. Due to the size of Inmate Telephone System responses, they are typically submitted in ring binders.

Will it be acceptable to provide the technical proposal in a ring binder, or does the Agency wish to have unbound copies?

Q14A: A ring binder is acceptable.

Q14B: If ring binders are acceptable, would it be permissible to have only the cost proposal in a separate envelope clearly marked as "BID TYPE: Cost"?

Q14B: Yes, the cost proposal must be in a separate envelope, marked "COR61453 -Cost Bid" and the technical proposal in envelopes marked "COR61453 – Technical Bid"

Q15: Page 23 – Section Four – 5.18 and Page 30 – Section Four – 5.59
5.18 asks the vendor to provide the timing of major software upgrades, and 5.51 requires that the software be upgraded every four months. Would the Agency consider removing the requirement to upgrade the software every four months, and only evaluate the vendor's software update policy in their response to 5.18?

Q15: Yes, the Agency agrees to amend 5.51 to read "Flexible, state of the art technology shall be provided by Vendor to meet all network and system requirements. In addition, web based equipment and software must be provided. Vendor is responsible for repairing and/or replacing all hardware when needed as well as upgrading software as outlined in the Vendor's technical proposal. Vendor shall notify Agency of all available software upgrades within 30 days of availability and will provide the Agency the option of accepting or denying the upgrade."

Q16: Will the agency provide a phone count for each of the facilities?

A16: Please see attached Exhibit A.

Q17: Page 56. Attachment C – Cost Sheet

We understand the Cost Sheet is to include a single "postalized" rate structure per 5.66 as well as a non-scored commission rate per 5.67. Are there any particular formats/templates or other instructions the Department would like vendors to follow in their Attachment C Cost Sheets?

A17: Attachment C-Cost Sheet is attached to this Addendum. The Agency wants to ensure that inmate calling rates are fair and equitable; however, the commission paid to the Agency is placed in the Inmate Benefit Fund for our inmate population to enjoy products and services that are not mandated by law or provided with general operating funds.

Q18: Page 57. Attachment D – Facility Descriptions

Would the Agency please also provide the number of phones at each facility, preferably split out between indoor and outdoor units?

A18: See attached Exhibit A.

Q19: So we can provide the most favorable financial offer, would the DOC provide monthly data for at least the last 6 months and preferably last 12 months broken down by jurisdiction and billing type? For example:

<i>Mo1, Mo2</i>	Collect/Direct		Prepaid Collect		Debit		Total
	Bill						
Call Category	# Calls	# Minutes	# Calls	# Minutes	# Calls	# Minutes	\$ Gross Revenue
Local							
IntraLATA							
InterLATA							
InterState							
InterNational							
Total							

Alternatively, copies of the past 6 to 12 monthly commission statements would be equally helpful.

A19: See attached Exhibit B for call and commission information.

Q20: Regarding the bond requirements on p. 11 – it appears there are no requirements for bid bonds, performance bonds, or a letter of credit for this solicitation. Please confirm this understanding is correct.

A20: Yes.

Q21: Regarding the SWAM preference described on p. 14 – may a preference be obtained by utilizing subcontractors who are SWAM certified in West Virginia? Or does the preference apply to the prime contractor only?

A21: Prime contractors only.

Q22: Regarding the formula for scoring the Financial Offer (rates) – Please clarify how “lowest cost” will be determined, given the requirement that discounted rates be offered for Prepaid and Debit calling. For example – will the State average the rates offered for Collect, Prepaid, and Debit calling, or will a weighted average be applied based upon actual call volumes? Since Debit calling is not offered today, how would the Debit rate be weighted? How will fees be factored into this formula, especially fees that are not applied per call, such as funding event-based fees, account setup fees, monthly Bill Statement Fees, etc.?

A22: See attached Attachment C-Cost Sheet.

Q23: To facilitate inserting bidder responses and filling out the required forms, will the State please provide a copy of the RFP in Microsoft Word?

A23: No, it is not our practice to provide the RFP in Microsoft Work.

- Q24: May bidders include an Executive Summary in the required proposal format?
- A24: Yes, this is a Request for Proposal. Vendors are encouraged to offer the best possible solution for the Agency, at fair and equitable pricing. However, the requirements set forth in the RFP must be followed.
- Q25: Is it acceptable to deliver the Technical and Cost proposals in the same box, as long as the Cost Proposals are contained in a separately sealed envelope inside the box?
- A25: Yes, the Agency recommends that you package all documents in one box if possible, assuring that the inside contents are marked appropriately.
- Q26: Requirement # 5.7 on p. 22 mentions visitation recordings. Is monitoring and recording of visitation phones a component of this solicitation? If so, please provide the total number of visitation sets at each facility. Are these sets currently wired to the Inmate Telephone System for monitoring and recording?
- A26: No, monitoring and recording visitation phones is not included in this proposal.
- Q27: The facility list in Addendum #1 shows the number of beds at each facility. Are all facilities typically filled to capacity? Please provide the Average Daily Population for each facility, if significantly different from the number of beds.
- A27: Yes, all facilities are at capacity.
- Q28: Please specify the number of workstations and TDD devices required at each facility. Is any other equipment required – e.g., pedestals, enclosures, pay phones, etc.?
- A28: See attached Exhibit A. No other equipment is required.
- Q29: Requirement #5.37.24 on p. 27 states that the system “must allow the called party to block their telephone number during the call.” Please clarify the purpose of this requirement and its application.
- A29: If the called party wants to block calls from a facility, the called party must have the option of declining and/or blocking future incoming calls from this facility by automated means, so no additional action is required by the called party. The Agency does not want the called party to be required to call the facility to get on a blocked call list.
- Q30: Requirement #6.1.4 on p. 33 requires a TDD telephone that is made of stainless steel. To our knowledge, no such phones exist in the marketplace. Will the State accept a TDD device of alternate construction that is widely used in the corrections industry?
- A30: Yes, but Vendor shall bring the TDD telephone device to the oral presentation so Agency representatives have an opportunity to review and inspect the device.

Q31: Page 32, Section 5.68 – “All fees, charges, or per minute cost of a call must be fully disclosed by the vendor, no other fees or charges will be allowed”. In addition to the direct charges for phone calls, there are numerous additional fees which can be charged directly or indirectly to the consumers outside of the actual phone calls, such as fees to open or close an account, fees for refunds, fees for adding money to an account, fees if the called number is to a cell phone, fees for billing statements, etc. Some of the many fees that can exist in the inmate phone industry include those listed below. In addition, a new fee can be implemented and named something different. One of the issues is that, because these fees can be charged directly to the consumer, the DOC is often times not aware of these fees. In addition, because the consumers are not aware of the actual contract terms with the facility, the consumer is not necessarily aware of what they should be charged. Some fees are charged by the ITS vendor and others are charged through a third-party agent or subcontractor on behalf of the ITS vendor. Please confirm that no fees of any kind will be allowed in this contract, neither directly or indirectly charged to the consumers, and that the only charges allowed are the proposed phone prices for the phone calls. Examples of additional fees include:

- Bill Statement Fee
- Funding Fee
- Mail-In Payment Fee
- Western Union Payment Fee
- Refund Fee
- Regulatory Recovery Fee
- Wireless Admin Fee
- Single Bill Fee
- Paper Statement Fee
- Account Setup Fee
- Account Maintenance Fee
- Inactive Account Fee
- Account Close-Out Fee
- Non-Subscriber Line Charge
- Inmate Station Service Charge
- Cellular Telephone Surcharge
- Third-Party Payment Processing Fee
- State Regulatory Recovery Fee
- Check/Money Order Processing Fee

If any additional fees are allowed, please list which specific fees are allowed, and in what amounts. Additionally, please describe how such fees will be scored in the proposal evaluation.

A31: The Agency included fees on the price sheet. The fees will be scored as part of the cost proposal.

Q32: Please list all fees currently being charged by GTL, including amounts.

A32: See attached Exhibit D.

Q33: Will the DOC allow each vendor to submit multiple rate and commission options for consideration?

A33: The Agency will allow multiple rate and commission options for consideration.

Q34: The RFP is clear in requiring the provider to propose Collect, Prepaid, and Debit calling options including the prices for these services and the commission rate which will apply to these services. Upon award, an awarded provider may try to implement additional calling options outside of these traditional services being requested by the DOC, which can charge higher prices than those proposed in the RFP and can pay lower commissions than the commission rate proposed in the RFP. In doing so, the awarded vendor may market these additional calling services as a “bonus” to the DOC and “service enhancement” to the consumer.

Such services may include collect calling to a cell phone and one-time call purchase/payment without the need to set up a prepaid calling account. However, as these services are slightly different from those requested/competed in the RFP, they can be designed to charge higher prices and pay lower commissions than the calling services requested/competed in the RFP. It is possible that these options can be presented to the consumer as primary options and, therefore, consumers may elect these options because they are not familiar with the other calling options of Collect, Prepaid, and Debit calling which were competed in the RFP and may be a better value to the consumer.

Please confirm that the only calling services that will be allowed by any provider in serving a resulting contract, are the calling types/services which are requested and competed in the RFP as Collect to a residential home telephone, Prepaid which requires the consumer to set up a prepaid calling account, and Debit calling where the phone call is paid for by the inmate; and that no other calling services, including collect calling to a cell phone and one-time call purchase/payments, will be allowed and, if implemented, would be a direct violation of the contract.

A34: Since this is a Request for Proposal, the Agency will accept Vendor proposals for additional types of calling services and features, so long as the Vendor meets or exceeds the Agency specifications. However, the cost proposal will only be calculated and evaluated on the types of calling and fees indicated on Attachment C. All additional types of calling services and features will be evaluated on the technical portion of the Vendor’s proposal, but the Vendor shall include pricing for these services on a separate sheet of paper. Pricing for additional services will not be evaluated in the cost proposal.

Q35: In order to provide our best possible offer, it is very important to have historical call volume information for all call types. Call volume data is necessary to estimate costs as well as potential revenues. The current vendor, GTL, has access to this information, so distributing the information to other vendors in a timely fashion will ensure a level playing field for all bidders. Please provide as much data as possible from the following chart:

Call Category	# of Calls Per Month	# of Minutes Per Month	Total Revenue Per Month
LOCAL – Collect			
INTRALATA – Collect			
INTERLATA – Collect			
INTERSTATE – Collect			
LOCAL – PrePaid Collect			
INTRALATA – PrePaid Collect			
INTERLATA – PrePaid Collect			
INTERSTATE – PrePaid Collect			

A35: See attached Exhibit B.

Q36: Also, in order to help us evaluate call volumes and recognize additional revenue potential, it is very helpful to have the rates currently being charged to called parties under the current contract. Although these rates do not necessarily impact the competitive rates vendors will offer in this bid, knowing the current rates will help bidders to analyze current calling patterns and assess how calling might be impacted when a new rate plan is implemented. The current vendor, GTL, has access to this information, so distributing the information to other vendors in a timely fashion will ensure a level playing field for all bidders. Please provide the following information:

Call Category	Per Call Charge	Per Minute Charge	Other Charges
LOCAL – Collect			
INTRALATA – Collect			
INTERLATA – Collect			
INTERSTATE – Collect			
LOCAL – PrePaid Collect			
INTRALATA – PrePaid Collect			
INTERLATA – PrePaid Collect			
INTERSTATE – PrePaid Collect			

A36: See attached Exhibit B.

- Q37: Please provide an average of monthly commissions received over the past year from the current vendor and copies of commission statements.
- A37: See attached Exhibit B.
- Q38: Page 21, Section 3 requires that 3 of the 5 references, "...shall be from government owned and operated correctional facilities". Page 37, Attachment A: Vendor Response Sheet requires that 3 of the 5 references "...must be from state owned correctional facility."
- A38: The Agency is of the opinion that "government owned and operated correctional facilities" and "state owned correctional facilities" are one and the same. This is to say, we require 3 of the 5 references to be from Division of Corrections entities in other US States.
- Q39: Do the 3 references have to be from state Departments of Corrections which house state DOC inmates, or would other correctional facilities such as large jail facilities similar in size to the West Virginia DOC, which are owned by a county government, be acceptable towards these 3 references?
- A39: See response to Question 38 above.
- Q40: If the State requires that all 3 references be from state Departments of Corrections which house state DOC inmates:
- Q40A: Would the State allow the vendor to use references from 3 correctional facilities within the same Department of Corrections, or must the references come from 3 separate Departments of Corrections?
- A40A: Must be from 3 separate Departments of Corrections.
- Q40B: Would the State allow the vendor to use references from a Department of Corrections where it is providing the technologies and services but is not the prime contract holder with the Department of Corrections?
- A40B: No
- Q40C: Would the State allow the vendor to use references from Department of Corrections facilities which are operated by private correctional management companies, or must the references come from facilities that are operated by state DOC employees?
- A40C: No, the Agency will not accept references from private correctional management companies.
- Q41: Page 24, Section 5.29: Please confirm that the awarded vendor, even if the current provider is awarded the contract, must provide all new telephone equipment including but not limited to the phones, network and call processing equipment, computers, printers, etc.
- A41. Yes, the Agency believes that due to newer technology, it is important to have all new equipment installed in our prison system. This includes the incumbent.

- Q42: Page 31, Sections 5.54 and 5.55 require redundant storage to ensure no loss of data or phone recordings and imposes penalties for any such loss. It is clear that it is important to the State that none of its data, including call recordings and call detail records, are ever lost by the vendor. Would the State also include as a mandatory that vendors must disclose and explain any and all instances over the past 10 years where the vendor lost a facility's data, including call recordings or call detail records? Without adding such disclosures as a mandatory requirement, the State most likely would not know of any such losses by vendors who are simply agreeing to this requirement. With such a high importance in ensuring that the State's data are not lost by the vendor and in putting such a significant portion of the scoring on qualifications and experience, it would seem to be important, appropriate, and beneficial to the State to know and take into account these factors when evaluating each vendor's qualifications and experience.
- A42: The Agency hereby adds the following sentence to end of Sections 5.54 and 5.55, respectively. *The Vendor shall, in its proposal, include its method and solution to safeguarding the Agency's data from being lost, destroyed, and damaged.*
- Q43: Page 31, Section 5.60 requires that prepaid collect accounts must be set up via a live customer service representative. Some vendors push those setups to their automated IVR, and the option of getting to a live customer service agent is difficult and time consuming, perhaps by design. We request that as part of the evaluation process, the State actually call each vendor's current toll free number (not a special number that may be given in the response but instead, the regular number that is used by all other consumers), to test and confirm this from a consumer's perspective/experience. Despite what a vendor may agree to comply with, we believe that the State would be quite surprised in the actual results.
- A43: The Agency appreciates your recommendation.
- Q44: Page 31, Section 5.60 requires that, "No minimum funding is allowed for Prepaid Collect." Some vendors may require minimum payment amounts and only allow certain deposit amounts for funding Prepaid Collect accounts (e.g., only \$25, \$50, \$75 or \$100 and no other amounts). We request that in its evaluation process that the State actually calls each vendor's current toll free number to test and confirm this from a consumer's perspective/experience. Despite what a vendor may agree to in its Proposal, we believe the State would be quite surprised by the actual results.
- A44: The Agency appreciates your recommendation.
- Q45: Page 32, section 5.63 requires that, "Live operator must be easily reached within a maximum of one minute without lengthy or complicated press throughs". As with the above, we request that as part of the evaluation process, the State call each vendor's regular toll free numbers that are being used by their consumers to verify this ability.
- A45: The Agency appreciates your recommendation.
- Q46A: Page 21, Section 4 Project and Goals, Subsection 4.3 – "The commission rate quoted by Vendor will not be included in the bid evaluation process." The RFP requests that vendors state the commission rate which will be paid on the phone call revenues. However, the RFP also states that the commission rate will not be considered in the evaluation of bids.
- a. Will the proposed commission be used in any way or at any stage of the evaluation in selecting the awarded vendor? If so, at what stage and how?

- A46A: The Agency wants to assure that inmate calling rates are fair and equitable; however, the commission paid to the Agency is placed in the Inmate Benefit Fund for our inmate population to enjoy products and services that are not mandated by law or provided with general operating funds. The Vendor is required to list the commission rate on the Cost Sheet; however, the Evaluation Committee will review and rate each Vendor on the technical portion of the bid. The Evaluation Committee will not see the Vendor's proposed commission rate until the cost bids are opened. The Agency utilizes a prescribed formula based on the technical rating and the cost proposal to make award of Contract. The commission rate quoted by the Vendor will not be made a part of the evaluation.
- Q46B: If not, then why would any vendor be motivated to propose a commission above 1%, as there would seem to be no downside in proposing the lowest possible commission rate so that calling rates (which are considered in the proposal scoring) can be minimized?
- A46b. The call rates are more important to the Agency to encourage inmates to continue communications with their loved ones. Commission rates are secondary; however, we use these funds for the benefit of the inmate population as stated above.
- Q47: Would the DOC consider setting the commission rate, thereby eliminating the scoring complexity and allowing evaluation of the calling rates on an even playing field?
- A47: The commission rates are not and will not be a part of the evaluation process. Commissions will not be rated or scored. None of the committee members or any state representatives will be privy to the commission rates until the cost bids are opened. You will see on Attachment C that the commission rate will be indicated, but will not be a part of the cost evaluation.
- Q48: Regarding "Qualifications and experience," which are valued at 30 of the 100 points available:
- a. What specific areas/factors will the State consider in evaluating these criteria and awarding points?
- A48a: The Agency will evaluate Vendor's proposal on the criteria set forth in our specifications. Vendor must meet or exceed the specifications.
- b. How will the State evaluate these areas/factors in awarding points?
- A48b: During the evaluations, the Agency will deduct points for deficiencies to the specifications outlined in the RFP.
- c. Regarding references, will the inmate population of the reference agency factor into the consideration and assignment of points, or will the State really only consider the technologies/services provided and the reference's level of satisfaction?
- A48c: The Agency did not specify that a reference must be a similar/same type and/or size facility. The Vendor must provide references as outlined in the RFP or amended in this Addendum.

Q49: Regarding section 5.37, # 13:

- a. Please confirm that by “continuous voice analysis throughout the call duration,” the State is seeking a technology which analyses every second of the call as opposed to just certain or random sections of the call.

A49a: Yes, preferred feature.

- b. Please confirm that the “continuous voice analysis” should provide an identification of the inmate that is speaking on the call, as well as an identification of any other inmate that potentially speaks on that same phone call.

A49b: Yes, preferred feature.

- c. Please confirm that that the State seeks some sort of an alert to appropriate facility personnel, anytime the technology believes that another inmate was speaking on the phone call, and the identity of the suspected inmate.

A49c: Yes, preferred feature.

Q50: Regarding Section 5.59, Page 31: Will the State consider revising the prohibition of account setup via IVR, provided that this process will not allow calls to that account until a secondary verification process transpires to ensure proper account ownership including verified Billing Name and Address information (BNA) is obtained?

A50: Possibly.

Q51: Regarding Section 5.65: Will the State explain what is meant by “assistance must be consistently maintained for a maximum of 90 seconds”?

A51. Section 5.65 is hereby deleted in its entirety.

Q52: Regarding Paragraph 12, Page 13: Will the State define what will be considered “work not performed on the contract”? Additionally, in order to be fair to the vendor and consistent with a similar requirement contained in Section 5.55 regarding liquidated damages will the State consider adding a cure period to this specification similar to that contained in Section 5.55?

A52: \$300.00/day liquidated damages will be incurred if/when the inmate phone system is unavailable for use by the inmate population or a portion of the inmate population for longer than the timelines allowed for service/repair.

Q53A: Regarding Paragraph 12, Page 13: There are several specifications that appear to address items that are purchased via a cost-based contract, or are more in line with an RFQ than an RFP, specifically:

- Contractual Agreement, on page 000008 provides that “Issuance of a Purchase Order signed by the Purchasing Division Direction, ... constitutes acceptance of this Contract ...”

A53A: All contracts in the State of West Virginia awarded through the Purchasing Division is referred to as a “Purchase Order”. This does not in any way infer to a Request for Quotation. This is an RFP and an open ended Contract will be awarded to the successful Vendor.

- Q53B: Paragraph 1 further states “Vendor’s signature on its bid signifies Vendor’s agreement to be bound by and accept the terms and conditions contained in this Contract.”
- A53B: Yes, the RFP is the only document that will be signed by the Vendor. The RFP (signed by the Vendor) and all subsequent addendums will be incorporated into the Purchase Order and will become the binding Contract.
- Q53C: Paragraph 4 on page 000010 provides that “Unless otherwise specified, the fully executed Purchase Order will be considered notice to proceed.
- A53C: This is correct. However, after award of the Purchase Order/Contract, the Vendor and Agency will meet to schedule implementation of the services.
- Q54: Will the State consider revising these items, and any others that are similar, to be more reflective of an RFP that includes contract negotiation after award?
- A54: Vendor shall propose its best possible solution for the Agency’s needs. It is not likely any contract negotiations will be allowed after award of Contract based on Vendor’s technical and cost proposals.
- Q55: The requirements/project specifications in section four (pages 000021 – 000032) differ from those in Attachment A: Vendor Response Sheet (which is what we are using to provide our detailed responses). Will the State provide instructions or clarification as to which set of requirements prevail and should be addressed in each vendor’s response?
- A55: Attachment A repeats the project goals and objectives from Section 4, Subsection 4. Attachment B repeats the project specifications from Section 4, Subsection 5.
If this is an inadequate response, please contact Tara Lyle, Buyer, WV Purchasing Division, at 304-558-2544, for further clarification.
- Q56: Regarding Section 5.37, Page 13: The requirement states that all calls must be processed on an outgoing, station to station, prepaid basis.
Will the State confirm that there is no requirement to provide collect calling? Or, will the State please revise this specification to include collect calling?
- A56: Section 5.37, 1) is hereby amended to read: *5.37 System Features and General Operation: 1) Must process all inmate calls on an outgoing, station-to-station basis.*”
The Agency requires the Vendor to provide collect calling under this contract.
- Q57: The delivery of a proposal by commercial carrier such as FedEx or UPS requires a contact name and phone number. Please confirm that the contact for delivery will be Tara Lyle, 304-588-2544.
- A57: Yes, this is correct information
- Q58: **On page 14, GENERAL TERMS & CONDITIONS #22** - This section states that any nonresident vendor certified as a small, women-owned, or minority-owned business under W. Va. CSR § 148-22-9 shall be provided the same preference made available to any resident vendor. Does this apply only to the Prime Contractor or will it also apply to any certified small, women-owned, or minority-owned business employed as a subcontractor by the Prime Contractor?
- A58: Prime Contractor only.

- Q59: On page 17, Section 43 the state makes reference to an RFQ. Please clarify if there is a difference between an RFP and an RFQ or if this is simply a typo.
- A59: The language in Section 43 of the General Terms and Conditions is standard boilerplate language. As indicated on Page 21, COR61453 is a Request for Proposal and will be evaluated on both technical and cost proposals wherein Vendors shall propose its best possible solution to the Agency's need for an inmate telephone system.
- Q60: On page 21, Section Four, Item 3, the state outlines its requirements for vendor references. The DOC requires "Five (5) out of the required ten (10) years' experience must have been gained in state-owned correctional facilities. For this reason we respectfully request that the DOC amend its reference requirement and also require that three (3) of the references be for State DOCs where the responding vendor is the prime contractor of similar size to the West Virginia DOC. This will provide further protection for the State of West Virginia DOC.
- A60: Agency will not amend this provision.
- Q61: On page 29, Section 5.48 the state is requesting 24 workstations. Please provide the location of all 24 workstations so that the proposing vendor can ensure ample, dedicated bandwidth as required within the RFP.
- A61: See Exhibit C for list of workstations by facility.
- Q62: On page 30, Section 5.49 the state is requesting funding for three (3) agency personnel at a total of \$109,872 for the first year and then incremental increases "to keep pace with Agency granted increases". Please provide the expected incremental increases over the life of the contract?
- A62: The Agency will notify the Vendor of any anticipated increases, once approved by the state legislature. However, Vendor should be aware the compensation plan for employees in classified service does not contain provisions for automatic step increases. All increases require approval by the legislature. In addition, the Agency hereby reduces the agency personnel from three (3) to two (2), with an approximate annual cost of \$73,248.
- Q63: On page 32, Section 5.67 the state forbids "Promotional and marketing type calls". Please confirm that this is inclusive of programs such as PayNow, Text to Connect and all other programs that allow for a one-time payment of a single call without the need to setup or fund a prepaid account.
- A63: Yes, this is correct. Vendor shall provide the collect calling feature without a customer being required to set up a prepaid account.
- Q64: On page 33, Section Five, Number 3 "Proposal Format" it is not clear to us as to where the signed "Request for Proposal" form, which is found on page 55, is to be included in our response. Should this be included after the Title Page? If not please specify where the DOC wishes this included.
- A64: It doesn't matter in what location Page 55 is included with your proposal.

- Q65: On page 33, Section Five, Number 3 "Proposal Format" it states that Attachment B is to be signed but there is no signature line on this attachment. Should the vendor simply draw a signature and date line at the end of the attachment and sign there or will the DOC be issuing an amended form?
- A65: Page 55 of the RFP should be signed and returned with your proposal.
- Q66: On page 33, Section Five, Number 3 "Proposal Format" Attachment C, the Cost Proposal is a required document that must be provided within our response. Please explain how Attachment C should be filled out as it seems to be incomplete.
- A66: Attachment C was not included with the RFP in the initial publication; however, Attachment C is attached to this Addendum.
- Q67: On page 33, Section Five, Number 3 "Proposal Format" the required format does not request an executive summary which is standard when submitting a response of this type for inmate services for a DOC. We recommend that each responding vendor is permitted to submit an Executive Summary. If adopted, please indicate where the DOC wishes this summary included.
- A67: See Response 24 above.
- Q68: On page 33, located within Section Six (6), Item number 2 the RFP says "Vendor shall state the commission rate to be paid to the Agency; however, the commission rate will not be considered in the evaluation of the bids." If the DOC is not considering commission as part of the evaluation criteria then all vendors will bid zero commission and offer the lowest rates possible. This will result in the DOC receiving zero revenue from this contract to be used for inmate betterment. If this is not the intention of the DOC and the DOC is requesting a commission percentage then we respectfully request that the DOC evaluate commission percentages so that all vendors are evaluated equally and fairly. If this is the intention of the State of West Virginia DOC, then we respectfully request that you amend the RFP so that it is a zero commission contract.
- A68: The Agency wants to assure that inmate calling rates are fair and equitable; however, the commission paid to the Agency is placed in the Inmate Benefit Fund for our inmate population to enjoy products and services that are not mandated by law or provided with general operating funds. The Vendor is required to list the commission rate on the Cost Sheet; however, the Evaluation Committee will review and rate each Vendor on the technical portion of the bid. The Evaluation Committee will not see the Vendor's proposed commission rate until the cost bids are opened. The Agency utilizes a prescribed formula based on the technical rating and the cost proposal to make award of Contract. The commission rate will not be rated or scored.

- Q69: On page 33, located within Section Six (6), Item number 2 the state says "Each cost proposal cost will be scored by using the following formula for all Vendors who attained the minimum acceptable score....." Earlier within the RFP the DOC requires that all Vendors disclose their fees they charge that are in addition to their proposed calling rates. Currently fees are not part of the evaluation criteria. This could result in a vendor being awarded whose per minute cost is the lowest but their proposal contains twice the amount of fees as the next lowest vendor thus making calling higher for the public than if they would have selected the second lowest vendor. An example of this would be a vendor who charges \$0.05 per minute and has zero fees losing to a vendor who charges \$0.04 cents a minute but charges a \$0.25 location determination fee on all calls. A 15 minute call would be \$0.75 for the losing vendor and \$0.85 for the winning vendor. This will undoubtedly result in protests from the entire vendor community. For this reason we respectfully request that the DOC amend its proposal to include the evaluation of fees that are proposed or that the DOC set the types of fees and their rates that are permitted. Doing either of the two will ensure that all vendors have a fair and level playing field and more importantly that the interests of the citizens of West Virginia are fully protected.
- A69: See attached Attachment C. Fees are included in the cost evaluation.
- Q70: On page 26, Section 5.37.13 the DOC states that "Preference will be given to systems that have continuous voice analysis throughout the call duration." Please confirm that the preference will be given to systems that perform this analysis as the call is taking place as opposed to systems that perform this analysis once the call has been completed. Also please define how the preference will be measured, point wise, within the evaluation criteria.
- A70: Yes, preference will be given to continuous voice analysis throughout the call duration. The points for this feature are included in the 20 points for Approach and Methodology.
- Q71: On page 31, Section 5.56 the DOC states "Vendor shall supply dedicated network circuits for which Agency users can access CDRs. Access on shared bandwidth is not allowed. Vendor shall detail the network architecture, with particular emphasis on the dedicated bandwidth available at each site and the dedicated bandwidth available to access CDRs, both onsite and remotely?" Please clarify the sites that will require dedicated bandwidth for system operation. Please confirm if the DOC headquarters site and fusion center, even though there are no phones located at these site, will also require dedicated bandwidth as well. Finally, please confirm that if a user is remote, such as in a hotel, on vacation, etc that a VPN client is sufficient to connect to the system using other available bandwidth.
- A71: Yes, the Agency requires dedicated bandwidth. VPN client is sufficient. The Agency headquarters and Fusion Center will have workstations, so if bandwidth is required for workstations, it will be necessary to have dedicated bandwidth at these locations.
- Q72: On page 45, Sections 5.35.17 and 5.35.18 center on the need for BNA. Please verify that confirmation of the BNA will be performed by one of the vendor funded DOC employees prior to the number being placed on the inmate's allowed number list.
- A72: No, Vendor is responsible for confirmation of the BNA. Vendor is responsible to provide identity related information to the Agency, excluding Social Security Numbers, Account Numbers, or any other sensitive data.

Q73: On page 22, Section 5.7 the DOC states "Vendor shall supply the required number of workstations, as well as future equipment upgrades and/or replacements, which become the property of the Agency after expiration or termination of the contract in order to allow Agency access to all CDRs, call and visitation recordings, documentation, reports, data, etc. contained in the inmate telephone system." Visitation Recordings are mentioned in the above statement. Does the DOC desire to have the visitation phones recorded? If so please provide a list of all visitation phones to be recorded by facility along with the following data by facility:

- 1) Number of visits per month/year.
- 2) Minutes of visitation per month/year.
- 3) Number of visitation booth per facility
- 4) Number of phones on the visitors side per booth, per facility
- 5) Maximum minutes per visit

A73: No, the Agency does not record or monitor calls in the visitation area.

Q74: On page 28, Section 5.43 the DOC states "The inmate telephone system shall be capable to store and reference a list of Personal Allowed Numbers (PAN) associated with each PIN. The quantity of approved telephone numbers shall be configurable. The inmate telephone system shall be capable of storing the following PAN information:

- 1) Telephone Number
- 2) Called Party Name
- 3) Address
- 4) Relationship to inmate"

Please confirm that the above information will be entered by one of the vendor funded DOC employees prior to the number being placed on the inmate's allowed number list.

A74: No, the vendor system shall be capable of "batch" load from the data provided to the vendor.

Q75: With the complexity of a proposal for inmate telephones at a DOC, the answers to submitted questions often times lead to follow-up questions that will need to be asked. For this reason we request that all vendors be permitted to ask additional questions after all initial questions are answered by the DOC. This will help to ensure a comprehensive and well architected response to meet and exceed your requirements.

A75: Yes, the Agency will accept additional questions. The deadline for submitting additional questions is listed in this Addendum.

Q76: Addendum one changed the due date for the questions to October 15th while changing the due date of the response to October 31st. This only leaves 10 business days between the due date of the questions and the ship date of the response. During this time the DOC must answer all questions and vendors must fully digest the DOC responses. For this reason and taking into account the above request for a second question period we respectfully request that the due date for the RFP submittal be extended by 45 days. Even if the DOC should not allow additional questions to be asked 10 working days does not provide vendors with ample time to provide the comprehensive RFP response the DOC deserves.

A76: The Agency is agreeable to extending the bid opening date. The revised bid opening date is listed in this Addendum.

ATTACHMENT C - Price Sheet

COR61453 - Inmate Telephone System

Item #	Description	Unit of Measure	Estimated Annual Quantity * (Minutes)	Unit Price	Extended Amount
1	Flat Postalized Rate - Collect Calls	Minute	3,816,322		
2	Discounted Rates for Prepaid Calls	Minute	3,816,322		
3	Discounted Rates for Debit Calls	Minute	3,816,322		

Vendor shall indicate all fees to be charged: If fee is not charged, please put zero in unit price.

4	Bill Statement Fee	Each	1,000		
5	Funding Fee	Each	1,000		
6	Mail-In Payment Fee	Each	500		
7	Western Union Payment Fee	Each	500		
8	Refund Fee	Each	200		
9	Regulatory Recovery Fee	Each	60,000		
10	Wireless Administration Fee	Each	10,000		
11	Single Bill Fee	Each	1,000		
12	Paper Statement Fee	Each	2,000		
13	Account Setup Fee	Each	5,500		
14	Account Maintenance Fee	Each	5,500		
15	Inactive Account Fee	Each	500		
16	Account Close-Out Fee	Each	500		
17	Non-Subscriber Line Charge	Each	2,000		
18	Inmate Station Service Charge	Each	2,000		
19	Cellular Telephone Surcharge	Each	5,500		
20	Third-Party Payment Processing Fee	Each	2,500		
21	State Regulatory Recovery Fee	Each	60,000		
22	Check/Money Order Processing Fee	Each	2,000		

Grand Total				
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4	Commission Percentage Paid to Agency - Will not be used in cost evaluation	%
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Bidder/Vendor Information:

Name:
Address:
Phone No.:
Fax No.:
Email Address:
Authorized Signature

* Estimated quantities are for bidding purposes only. More or less may be utilized by the Agency.

Failure to use this form may result in disqualification

Telephone Device Information

Facility Name	Indoor Phones	Outdoor Phones	Cordless/ Rollcart	TTY/ TDD
Anthony Correctional Center	21	0	0	0
Beckley Correctional Center	12	0	0	0
Charleston Correctional Center	6	0	0	0
Denmar Correctional Center	12	0	0	1
Huttonsville Correctional Center	102	4	0	1
Huntington Work Release Center	5	0	0	0
Lakin Correctional Center	50	4	1	1
Martinsburg Correctional Center	20	0	0	1
Mt. Olive Correctional Complex	75	51	1	1
Northern Correctional Facility	17	0	0	1
Ohio County Correctional Complex	7	0	0	0
Parkersburg Correctional Center	9	0	0	1
Pruntytown Correctional Center	22	0	0	1
Salem Correctional Center	29	0	2	0
St. Mary's Correctional Center	62	4	0	2

Note: 1 Desk Top and 1 Test Device

Workstation Information

Facility Name	Number of Workstations
Anthony Correctional Center	1
Beckley Correctional Center	1
Charleston Correctional Center	1
Denmar Correctional Center	1
Huttonsville Correctional Center	2
Huntington Work Release Center	1
Lakin Correctional Center	1
Martinsburg Correctional Center	1
Mt. Olive Correctional Complex	2
Northern Correctional Facility	1
Ohio County Correctional Complex	1
Parkersburg Correctional Center	1
Pruntytown Correctional Center	2
Salem Correctional Center	1
St. Mary's Correctional Center	2
WVDOC Central Office	1
Corrections Investigation Division	1
Moundsville - Security Director	1
Fusion Center	2

**WV Division of Corrections
COR61453**

Exhibit D

Current Rates

Collect Call Rates

Call Type	Surcharge	Minute of Use
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WV Local	\$ 0.85	Flat
WV IntraLata	\$ 0.85	\$ 0.18
WV InterLata	\$ 0.85	\$ 0.20
WV InterState	\$ 0.85	\$ 0.50

AdvancePay Call Rates

Call Type	Surcharge	Minute of Use
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WV Local	\$ 0.75	Flat
WV IntraLata	\$ 0.75	\$ 0.16
WV InterLata	\$ 0.75	\$ 0.18
WV InterState	\$ 0.75	\$ 0.44

Agency Current Commission Rate - 46%

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: COR61453

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 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 acknowledgement should be submitted with the bid to expedite document processing.