



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
05/15/2014

BID OPENING DATE: 06/11/2014 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 13		
				SEE ATTACHED PAGES.		
				END OF ADDENDUM NO. 13		
0001	1	LS	915-77	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: 13**

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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. Responses to vendor questions attached.
2. The bid opening has moved from 05/29/2014 to 06/11/2014. The bid opening remains at 1:30 pm.
3. Revised Cost Sheet- Attachment C attached.

**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.

**ATTACHMENT A****QUESTIONS:**

1. It appears that questions and answers are missing from the last issued addendum. Page 3 ends with the answer to question 2 and page 4 begins with question 7. The page with questions 3 – 6 and their answers appears to be missing. Would you please provide those questions and answers?

**Answer: See Exhibit A1. The page was inadvertently omitted from Addendum No. 7.**

2. Would you please provide the address and a phone number for the Moundsville – Security Director? This is necessary to determine the cost of providing access for this monitoring station.

**Answer: Paul Simmons, Director of Security,**

3. On page 4 of the state issued Addendum #7, answer #9 states that voluntary tours will be scheduled. When will the voluntary site tours be scheduled?

**Answer: The Agency conducted site tours at Ohio County, Northern, St. Mary's and Parkersburg. None of the vendors requested site visits at any other locations.**

4. On page 18 of the state issued Addendum #7, #63, this response states that 'promotional and marketing type calls' are not permitted yet on page 11, #34, the response stated that vendors could provide additional calling services and features to be evaluated in the technical response. This seems to be contradictory. Please confirm that these promotional/marketing call types like PayNow and Text to connect are not permitted?

**Answer: These are not permitted.**

5. On page 22 of the state issued Addendum #7, Attachment C – Pricing Sheet, what does a vendor do if they charge a fee that is not listed on the revised price sheet? How will the Estimated Annual Quantity be determined for such a fee to determine how it would impact the inmate population and their loved ones? Also, what if the fee is a percentage instead of a unit price? How will that be calculated/evaluated?

**Answer: The Agency attempted to capture all potential fees that could be charged. If you have a list of fees, this should have been submitted with vendor questions.**

**Any additional fees should be provided by May 22, 2014 by 2:00 pm and the Agency will consider amending the Pricing Sheet. Any suggestions must be emailed to Tara Lyle, Senior Buyer with the WV Purchasing Division at [Tara.L.Lyle@wv.gov](mailto:Tara.L.Lyle@wv.gov).**

6. On page 22 of Attachment C – Price Sheet line 2 and 3, please verify that these rates should be a discounted Flat Postalized rate for Prepaid calls and Debit Calls.

**Answer: We are requesting flat postalized rates for all types of calling with the exception of interstate long distance. Due to the recent FCC order, we understand providers must remain at or under the directed caps per minute. The Agency will allow vendors to quote separate pricing for the interstate long distance minute usage on collect, debit and prepaid calling.**

7. Regarding the new Attachment C Price Sheet, will the Agency provide a version in Microsoft Word or Excel?

**Answer: Yes, see revised Attachment C – Cost Sheet.**

8. On page 7 of the state issued Addendum #7, the Answer to Question 14B, the Agency's answer uses the term "envelope" for packaging of the Technical proposal, but due to the size of the Technical Proposal, may it be packaged in a box instead?

**Answer: Yes, a box is fine.**

9. Page 45 of the state issued RFP, section 5.37.14 . States that the vendor "Must provide an integrated capability to monitor, record, store and retrieve inmate phone conversations on a real time basis. **Recordings must be stored online for the entire contract term** with the option to archive to removable/portable storage media. All recorded phone conversations are the property of the Agency." The contract term is one year. Is this the length of time that the Agency is expecting recordings to be held?

**Answer: Vendor must store online during the contract term, including all renewal periods.**

10. Will the state require the prime and/or subcontractor's to be licensed in the state to maintain the cable plant infrastructure (inside wiring for inmate telephones)?

**Answer: If any expansion or new services are required for facility modifications, the Vendor must work with the maintenance staff employed by the Division of Corrections. If necessary, the agency may procure the facility modifications by separate contract.**

11. Would the prime and/or subcontractor be required to be licensed in the state to maintain wiring prior to the bid submission date?

**Answer: See Response No. 10 above.**

12. Regarding Question 8, Page 4, Question 22, Page 8, and Question 31 on Page 10 all concern the Cost Evaluation. Section 5.68 on Page 32 of the RFP states that fees will be evaluated. Section 6 (Page 35) of the RFP has the formula for the evaluation of the cost proposal. With the inclusion (on Attachment C) of fees in the evaluation process, would the Agency clarify the following:

- Will the “Grand Total” line (includes items 1 through 22) be the number that will be evaluated?

**Answer: Yes, the Grand Total line is for evaluation of the cost bid.**

- If not, will the “Calling Rates” (items 1 through 3) be evaluated separately from the “Fees” (items 4 through 22), and if so, what will be the points assigned to the “Calling Rates” and “Fees”.

**Answer: Items 1-25 are included in the Grand Total. None of the prices quoted will be evaluated separately.**

13. Regarding Questions 14A and 14B on Page 8 and Question 25 on Page 9 both deal with how the proposal is to be prepared and shipped to the Agency. The response to 14B implies that the six copies of the Technical Proposal be in an envelope. As most vendors will respond with their proposals in ring binders, each one being at least one inch thick, does the Agency desire:

- All six Technical Proposals be in one envelope or sealed package, with the six copies of the Cost Proposal in a separate, clearly-marked sealed envelope. Both the Technical and Cost Proposals would be shipped in the same box.
- All six Technical Proposals placed unsealed in a shipping box, with the six copies of the Cost Proposal in a separate, clearly-marked sealed envelope. Both the Technical and Cost Proposals would be shipped in the same box.

**Answer: The vendor may use boxes or envelopes to submit the technical and cost bids. The only requirement is that the cost bid be separate from the technical bid and both are clearly marked. However, both bids can be shipped in the same container but sealed and marked separately inside the container.**

14. Regarding Question 32, Page 10, asked if the Agency would list all fees currently being charged by GTL. The response was to see attached Exhibit D in Addendum 7. However, Exhibit D only contains information on the calling rates; it does not include any fees.
- Would the Agency readdress Question 32 and provide any existing fees that GTL charges, using items #4 through 22 on the revised Attachment C from Addendum 7 as a template?

**Answer: The Agency does not have any report that is all-inclusive of the fees. Agency recommends that you contact the current Vendor to obtain this information.**

15. Regarding Questions A34 and A63. We believe A34 is in conflict with A63. A63 confirms that one-time payment promotional/marketing calls such as PayNow and Text to Connect are not allowed – this answer is consistent with the DOC’s desire to maintain a low overall cost of calling to inmates and family members (these programs can charge up to \$15 for a single phone call). A34, however, can be interpreted as allowing for PayNow and Text to Connect.

Q34 asked if “additional types of calling services and features...”, including “additional calling options outside of ...traditional services being requested by the DOC...[including] one-time call purchase/payment without the need to set up a prepaid calling account” (this description is referring to PayNow and Text to Connect type programs) are allowed. A34 states that proposals for additional types of calling services would be accepted.

To clarify, PayNow and Text to Connect type programs are not different call types, they are simply different ways to charge for the same phone call – specifically, charging a high, unreported and un-commissioned per-call fee to end-users. These programs divert money away from the DOC and family members and into the provider’s pocket.

- *We understand the DOC’s intent in Attachment C and respectfully request that it explicitly disallow these per-call billing programs for the reasons stated above.*

**Answer: The Agency will not permit promotional/marketing calls such as PayNow and Text to Connect methods and/or types of calling services. Both A34 and A63 on the previous questions should state these calls/methods of calling are not allowed.**

16. Follow-Up to Revised Attachment C – Price Sheet . Respectfully, the Estimated Annual Quantities for discretionary fees (items # 4 – 22) are much lower than what is seen in practice. This unfortunately leaves the offer open to manipulation – bidders could charge very high fees in order to offer artificially low calling rates without being properly penalized. We do not believe this is the DOC’s intent.
- In general, the only fees meant to offset a direct cost are #4 (for the additional direct cost of collect billing) and #5-8 (for certain direct costs of administering prepaid accounts). All other fees listed are either “junk”/“add-on” fees or other names for the fees in #4-#8. Examples regarding potential fee quantities:

- #4 Bill Statement Fees: We would expect about 9,000-10,000 events per year in West Virginia
- #5 Funding Fees: Expect about 25,000 funding events per year. (Regarding #13 Account Setup, most providers do not charge account setup fees, but instead charge for the funding event at setup).
- #9, #18, #21 Regulatory Recovery Fees and Inmate Station Service Charges: These are typically charged per-call – at DOC’s future rates we expect over 1,200,000 per year.
- #10, #14 Account Maintenance/Administration Fees: Could exceed 100,000 per year depending on how they were applied.

**Answer: See revised Cost Sheet – Attachment C. Please keep in mind, our current contract is administered by another State Agency and we do not always have detailed information on the fees, charges the callers encounter. Agency has amended the Price Sheet to reflect these fees and charges as accurately as possible. You may contact the current vendor for more detailed information.**

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17. At a minimum, would the DOC clarify that all fees charged on a per-call basis (including but not limited to #9, #18, and #21) are not allowed, as these fees constitute a per-call surcharge which is prohibited?

**Answer: All bidding Vendors must comply with state and federal laws as they pertain to allowed fees and charges. If this is not allowed, the Vendor should not quote a price. The Agency amended this price sheet in accordance with requests from all Vendors.**

18. In addition, would the DOC allow only a smaller number of set fees (e.g. #4-8) to minimize the issue stated above?

**Answer: The Agency is attempting to capture all possible fees/charges as requested by the Vendors and be able to do a fair and equitable evaluation of this RFP. If your company does not charge a particular fee(s), insert “zero” in your cost bid.**

19. In any case, would the DOC consider increasing the Estimated Annual Quantities for any allowable fees to higher levels, such as those above?

**Answer: See revised Cost Sheet, Attachment C.**

20. Exhibit B appears to be missing from the Addendum.

**Answer: See Exhibit B inadvertently omitted from the previous addendum.**

**21. In the RFP under Qualifications and Experience it requires the Vendor to have at least five (5) references. Can these references be met by the prime and/or it's subcontractors?**

**Qualifications and Experience:** Vendor shall provide five (5) references, three (3) of which shall be from government owned and operated correctional facilities. **Attachment A: Vendor Response Sheet** information regarding its firm, such as staff qualifications, and ten (10) years' 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. Five (5) out of the required ten (10) years' experience must have been gained in state owned correctional facility. Vendor experience includes key personnel experience in the industry, does not mandate the company had to be in existence for ten (10) years.

**Answer: No. Vendor's key personnel must have the required qualifications and experience as outlined above.**

**22. The state is encouraging SWAM companies to consider a prime position on this RFP. Would the state allow a SWAM Vendor to use the references of it's provider team to meet the Qualifications and Experience requirements in the RFP?**

**Answer: See *West Virginia Code* §5A-3-59. More information may be obtained on the WV Purchasing Division's website - <http://www.state.wv.us/admin/purchase/VendorReg.html> and <http://www.state.wv.us/admin/purchase/VendorRegFAQ.html>.**

Addendum No. 7 references an "Exhibit B," which is to contain call volume, revenue, and commission information. However, we could not locate this Exhibit in the Addendum No. 7 PDF or on the State's website. Will the State please provide this information in a separate attachment?

**Answer: See Exhibit B inadvertently omitted from the previous addendum.**

**Other Information:**

1. The bid opening has moved from 05/29/2014 to 06/11/2014. The bid opening time remains at 1:30 pm.
2. Exhibits A1 and B are attached.
3. Revised Cost Sheet – Attachment C attached.



# EXHIBIT

A1

**Q3: Regarding Section 5.21, Page 24 of the RFP concerning the on-site field support:** Section 5.21 indicates that three technicians are required which reside in West Virginia. **000010**  
QUESTION: Will the State confirm that these technicians must be DEDICATED to the DOC, not shared with other accounts serviced by the awarded vendor?

A3: The technicians can be shared with other accounts; however, Vendor must adhere to the response times outlined in the RFP.

**Q4: Regarding Section 5.29, Page 24 of the RFP concerning the telephone equipment:** Section 5.29 indicates that the vendor must supply all new telephone equipment.  
QUESTION: Will the State confirm that all vendors, inclusive of the incumbent, must propose and provide all new telephone equipment and that used, remanufactured or refurbished equipment is not allowable?

A4: 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.

**Q5: Regarding Section 5.35, Page 25 of the RFP concerning the UPS backup:** Section 5.35 indicates that the vendor must supply a minimum of 30 minute UPS backup.  
QUESTION: Does each facility have generator backup service and, if so, will the vendor be allowed to connect the system to the generator circuits in addition to providing UPS backup power?

A5: Most of the facilities have generator backup service onsite; however, the Agency cannot guarantee the phone provider will be able to connect to the generator power at all locations; therefore, it is a requirement for the Vendor to supply a minimum of 30-minute UPS backup power.

**Q6: Regarding Section 5.37.15, Page 26 of the RFP concerning the recording playback:** Section 5.37.15 indicates several recording playback requirements that are not industry standard and are, in some cases, tied to the continuous voice biometric technology that is preferred (in 5.37.13), rather than required.  
QUESTION: Will the State consider revising this section to indicate this is preferred feature functionality rather than required?

A6: Section 5.37.15 currently states: *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; and d. Easily enter notes to removable/portable storage media.*

The Agency hereby amends 5.37.15 to add preference and remove mandatory to the following features:

***Section 5.37.15 now reads:***

***Should 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; and d. Easily enter notes to removable/portable storage media.***

# EXHIBIT

# B

000012

## West Virginia Division of Corrections Calls, Minutes and Revenue October 2012 - September 2013

	LOCAL			INTRALATA			INTERLATA			INTERSTATE			INTERNATIONAL (North American Dial Plan)		
	Calls	Minutes	Revenue	Calls	Minutes	Revenue	Calls	Minutes	Revenue	Calls	Minutes	Revenue	Calls	Minutes	Revenue
PrePay	410391	5241766	\$ 306,981.14	233289	2565770	\$ 580,944.91	262996	2848965	\$ 698,178.99	30242	298726	\$ 154,184.49	95	1289	\$ 629.86
Collect	10769	128892	\$ 9,151.90	26438	297280	\$ 75,988.64	29970	337983	\$ 93,063.25	4922	54970	\$ 31,668.85	4	18	\$ 12.40
Total	421160	5370658	\$ 316,133.04	259727	2863050	\$ 656,933.55	292966	3186948	\$ 791,242.24	35164	353696	\$ 185,853.34	99	1287	\$ 642.26

# ATTACHMENT C

## Revised Cost Sheet

Item #	Description	Unit of Measure	Estimated Annual Quantity * (Minutes)	Unit Price	Extended Amount
1	Flat Postalized Rate - Collect Calls - In-state 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	\$	-
4	Interstate Collect Calls	Minute	350,000	\$	-
5	Interstate Discounted Rates for Prepaid Calls	Minute	350,000	\$	-
6	Interstate Discounted Rates for Debit Calls	Minute	350,000	\$	-
7	Bill Statement Fee	Each	10,000	\$	-
8	Funding Fee	Each	25,000	\$	-
9	Mail-In Payment Fee	Each	5,000	\$	-
10	Western Union Payment Fee	Each	5,000	\$	-
11	Refund Fee	Each	2,000	\$	-
12	Regulatory Recovery Fee	Each	1,500,000	\$	-
13	Wireless Administration Fee	Each	100,000	\$	-
14	Single Bill Fee	Each	5,000	\$	-
15	Paper Statement Fee	Each	5,000	\$	-
16	Account Setup Fee	Each	1,000,000	\$	-
17	Account Maintenance Fee	Each	100,000	\$	-
18	Inactive Account Fee	Each	5,000	\$	-
19	Account Close-Out Fee	Each	5,000	\$	-
20	Non-Subscriber Line Charge	Each	5,000	\$	-
21	Inmate Station Service Charge	Each	1,500,000	\$	-
22	Cellular Telephone Surcharge	Each	5,500	\$	-
23	Third-Party Payment Processing Fee	Each	50,000	\$	-
24	State Regulatory Recovery Fee	Each	1,500,000	\$	-
25	Check/Money Order Processing Fee	Each	10,000	\$	-

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

**GRAND TOTAL** \$                     -

Commission Percentage Paid to Agency - Will not be used in cost evaluation	%
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<b>Bidder/Vendor Information:</b>
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**

**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. 11 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7  | <input type="checkbox"/> Addendum No. 12 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8  | <input type="checkbox"/> Addendum No. 13 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9  | <input type="checkbox"/> Addendum No. 14 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 | <input type="checkbox"/> Addendum No. 15 |

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.