

TEMP04
Addendum No. 3
Questions and Answers

1.	Q.	With the new Specifications for Temp04, there is a limit of 1000 hours per individual temporary worker per year. Who is to be responsible for monitoring the hours, staffing service or the state?
	A.	The staffing service and the West Virginia State Agency shall be responsible for this limit. Approval shall not be granted for temporary personnel to exceed the 1,000 hour rule.
2.	Q.	In the Specifications information, under Fee Adjustment, it states that should there be an increase in the minimum wage, an increase in the hourly bill rate may be considered, but the adjustment would be based on the actual dollar amount of the minimum rate increase, not a percentage. However, in addition to the actual increase in pay for our employees, we also have an increase in employers' taxes as they are a percentage of the pay rate so that our actual increase is the combination of increased pay + additional burden as a result of increase. For instance, if the pay rate has been \$5.15/hour and the employers (burden) amounted to 22%, our cost amounts to \$6.28. If minimum wage is increased 50 cents to \$5.65, our burden expense on this amount increases proportionally making our costs now \$6.89 (\$5.65 + 22%). Therefore, our true increase is 61 cents, not the 50 cent increase in minimum wage. Can this specification be amended to allow for the increased cost in employers' taxes as well as the dollar increase in minimum wage?
	A.	The State of West Virginia may consider an increase in the hourly billing rate only if the federal minimum wage rate changes during the life of the contract. No other increases will be considered.
3.	Q.	In the GENERAL TERMS AND CONDITIONS RFQ AND RFP on the backside of the first page, No.7 says that Interest may be paid for late payment in accordance with the West Virginia Code. In the past, we've had instances when invoices were not paid in a timely manner, but we've never been able to find out what was the allowable interest rate is that can be charged on late invoice payments. What is the allowable interest rate that can be charged
	A.	The rate is determined by the State Tax Commissioner. Legislative Rules and Regulations 148 CSR 1-9: states "...current rate determined by the State Tax Commissioner..."
4.	Q.	In the Smoke Free and Drug Free section, it says that this contract may require drug testing of the vendor's employees for specific placements. Would the expense of drug testing be passed through to the state? What positions might require drug testing?

	A.	The occasional drug testing should be considered a "cost of doing business". The number of tests required should be minimal. Although the specifications allow drug testing for any classification, drug testing will likely be for an individual who would be used as a driver, such as a laborer.
5.	Q.	<u>RFQ-page 4:</u> Will the Visa Purchasing Card be utilized only for orders under \$2,500.00 as specified or will we be required to accept this method of payment for larger amounts if requested by various departments?
	A.	The Purchasing Card transaction limit is \$2,500.00.
6.	Q.	<u>Specifications:</u> Temporary Services: 1,000 hours per individual per year... Is this measured by calendar year or fiscal year?
	A.	Within any 12 month period.
7.	Q.	Will this 1,000 hours be tracked from the Quarterly report you are requesting on page 4 of the specification?
	A.	The staffing agencies will be required to track the 1,000 hours; however, the reports will be checked to verify enforcement.
8.	Q.	Has consideration been given to the restrictions this new 1,000 hour contract language will have on the pool of candidates available to the State of West Virginia.... Can this rule be applied to individual divisions rather than the state as a whole? E.g., Work's Comp (1,000 hours)... Lottery Division (additional hours)?
	A.	The 1,000 hour restriction is not new; it was added to all existing contracts effective March 1, 2001; it shall be enforced in the new contract(s).
9.	Q.	What is driving the change from the previous language of: The hiring of a Temporary Services Individual shall be limited to a period of the need and in no event shall a temporary services vendor continue to provide the same temporary employee or consecutive temporary employees to provide the same temporary duties for more than twelve (12) months in any twelve month period.
	A.	This is not a new requirement. A change order was issued in 2001 adding this requirement to all existing temporary contracts.
10.	Q.	<u>Compensation:</u> The contractor will be responsible for paying any and all insurances, taxes and unnamed costs, which may arise concerning the temporaries – Could we receive clarification on "other unnamed costs"?
	A.	No clarification on "unnamed costs". This simply means that the State of West Virginia is responsible ONLY for the billing rate as provided for in the contract.
11.	Q.	<u>Travel:</u> Could you provide us with a copy of the State Travel Regulations?
	A.	The State of West Virginia Travel Regulations are attached (15 pages).

12.	Q.	<u>Fee adjustment:</u> Changes in Taxes... Work's Compensation, etc.... Would this also include State Unemployment Tax Increase?
	A.	The State of West Virginia may consider an increase in the hourly billing rate only if the federal minimum wage rate changes during the life of the contract. No other increases will be considered.
13.	Q.	<u>Conduct and Management:</u> Can this section be amended to read as follows: "staffing employees shall perform the services under the Customer's operational supervision . Staffing firm will perform human resources administration of the Staffing employees, (e.g., administering discipline and other non-operational matters.)".....
	A.	No change in language.
14.	Q.	Will the contract be awarded to a limited number of vendors?
	A.	Contract awards will be limited to the four low bidders (meeting required specifications) in each category for each region. Under this scenario, it will be possible for a temporary agency to be awarded a contract for only a portion of the positions they bid. It will be necessary for the agencies to secure approval from the Purchasing Division if they do not use the low bidder for the position classification.
15.	Q.	Can there be any changes to the Indemnification Language set forth in the RFQ?
	A.	No; and no exceptions will be accepted.
16.	Q.	Does the service provider that is awarded this account need have a permanent location in West Virginia? Will a satellite office do?
	A.	No requirements for office in West Virginia; however, references are required for each region bid.
17.	Q.	Can you bid on certain positions or Regions?
	A.	Yes; no restrictions on number of positions or regions you must bid.
18.	Q.	\$3,000,000 was the spend previously. Do you foresee the spend rising or decreasing during the length of this RFQ?
	A.	There is no way to estimate the number of temporaries that might be needed. The amount of money previously spent does not imply any amount for the future.
19.	Q.	Is there a present provider of these services, if so, who?
	A.	Currently the State of West Virginia contracts with 13 staffing agencies for temporary services. (Adecco, Kelly Services, United Talent, Career Connections, Contemporary Staffing Services, Express Personnel Services, Manpower Temporary Services, Personnel Temporary Services, Saunders Staffing, Snelling Personnel, Temporary Employment Services, Winans Services, and WV Association of Rehabilitation Services.)
20.	Q.	There was not a specification on the color of ink to be used for the RFQ. Could you provide that information?

	A.	We do not specify a color of ink; if possible, bidders are requested to type the information. Signatures may be in any color of ink
21.	Q.	Would it be acceptable to re-create the spreadsheet in order to type in the bids?
	A.	Yes
22.	Q.	Do I need to be present for the bid opening?
	A.	The bid opening is open to the public, but no attendance is required.
23.	Q.	Is the bid date (of the opening) prior to bid opening time the deadline for taking bids to purchasing and auditor's office or an earlier date?
	A.	In order to be considered, bids must be received at both locations prior to the date and time as stated in the RFQ.
24.	Q.	Is this a one year contract... and if renewed, the contract will be for two one year periods. My question is after the first year has expired, and the contract is up for renewal, will our bill rates be required to remain at the same rates or will we have the ability to change the prices after the first year?
	A.	The State of West Virginia may consider an increase in the hourly billing rate only if the federal minimum wage rate changes during the life of the contract. No other increases will be considered.
25.	Q.	Does the vendor sign and date all pages (pages 1-8) of the RFQ and submit to your office as well as the pricing sheet, and sign and date the Affidavit. Is this all that you need submitted?
	A.	Bidders are not required to sign every page. Recommend bidders sign page one and complete all requested information in the RFQ; return RFQ, signed Affidavit and signed pricing sheet. If Resident Vendor Preference is claimed, you should sign that section.
26.	Q.	Do we attach the bright pink labels to the Dept. of Administration and State Auditor's Office if we hand carry to the offices; what else should be on the front of the envelope?
	A.	While not mandatory, it is helpful if you place those labels on the outside of the envelope, regardless of the manner of delivery. It is important that the name of the RFQ, buyer, date and time appear on the envelope to enable the staff to place your bid in the correct bid opening. Your return address and our address would also be recommended. Remember the law requires that Purchasing receive the original bid; if you place the Purchasing label on that original, you may feel comfortable that the bids were not inadvertently transposed.