

Questions and Answers

Master Agreements for Technical Staff Augmentation Services

Request for Proposals # ISD-201002-CT

Emailed Questions Received by 1:00 P.M. February 9, 2011

1. Question. Attachment F-6 Part II - Financial Stability: Provide the latest 3-years of financial reports (audited financials, if available; if audited financials are not available, then reviewed financials will be acceptable). Can you please define what is acceptable as "reviewed" financials? If we are to have a CPA review our financials, it is about a \$10,000 investment. We are a small California business and that would not be small business friendly. We have been working with the State of California for over 12 years. We hold a CMAS (California Multiple Award Schedule), MSA (California Master Service Agreement) as well as several Federal Master Service Agreements, including IT70 and 8a Stars. We have not had to provide audited or "reviewed" financials for any of these contracts. Would a letter from our bank, where we have banked for over 12 years, that states our financial stability be sufficient?

AOC Response: The AOC expects that the firms awarded these master agreements will have opportunities to receive tens of millions of dollars over the term of the master agreements; a \$10,000 "investment" is not unreasonable for the AOC to assure the financial stability of a firm. If a firm doesn't have sufficient liquidity or cash flow, then it's possible that their employees, Key Personnel or subcontractors may not be paid until receipt of paid invoices by the AOC, and Key Personnel may stop working until they are paid. The AOC's requirement of audited or reviewed financials will, therefore, not be modified, however, proposers may submit other documentation which they think would indicate their financial stability and the AOC will review to determine whether it is acceptable.

2. Question. Will AOC announce the list of awarded vendor's classification wise? Is there any limit for number of awarded vendors for each classification? Please clarify?

AOC Response: No to each question. Awarding of master agreements will not be classification specific, nor will there be a limit on the number of master agreements awarded. The intent of this solicitation is to award master agreements to proposers that cover the greatest breadth of the AOC's classifications, whether such breadth is achieved from within a proposer's use of their own employees their independent contractors, OR a combination of proposer's use of their own employees and independent contractors, as well as the use of subcontracted firms to fill difficult-to-fill classifications.

3. Question. Attachment – F2 - Placement History. Page 2 of 2. Part II – References. In case a vendor has placed consultants for a classification in the last 12 months but the reference details for a few positions are not available then do we ignore those numbers in "Number of placements" column. For example, if 8 consultants have been placed as IT Project Manager position but reference details are available for only 6 positions. In this case, do we need to put 8 or 6 in "Number of placements" against IT Project Manager? Please clarify?

AOC Response: Proposers shall only indicate the “number of placements” for which proposer has also provided the required corresponding reference detail. This means that in the example above, proposer should only indicate “6” as the “number of placements” for IT Project Manager as the reference details are missing for 2 of the placements.

4. Question. In case we do not use any subcontractors for fulfilling the requirements of this solicitation, will this be a disadvantage in the evaluation? Is there any minimum goal for subcontracting participation? Please clarify?

AOC Response: It may or may not be a disadvantage in the evaluation process depending on the proposer’s breadth and depth of coverage of the listed classifications. There are no minimum nor maximum goals for subcontracting, nor are there any requirements *per se* for proposers to subcontract any portion of the services anticipated by this RFP. The use of subcontractors is merely a method proposers may choose to employ to achieve greater breadth and depth of coverage of the listed classifications. Proposers that provide a greater breadth of classification coverage will have an advantage over those proposers that only provide coverage of only limited classifications or only certain specific classifications.

Even if a proposer does not intend to use subcontractors in fulfilling the service requirements under a master agreement, if awarded, at the proposal stage, they must still propose a subcontractor markup in Part III of Attachment F-3 in their proposal.

5. Question. Attachment A - Administrative Rules Governing Requests for Proposals, Page A-4, Point 4, Evaluation Process. As per point 4 of Evaluation process: “Cost sheets will be checked only if a proposal is determined to be otherwise qualified. All figures entered on the cost sheets must be clearly legible”. There are no tables to fill hourly rates for various classifications implying we are not required to provide hourly rates in response. Please confirm.

AOC Response: Confirmed. The only cost/pricing issues to be evaluated for purposes of awarding master agreements are contained in Attachment F-3, Pricing. There is no requirement for proposers to propose hourly rates for various classifications under this solicitation.

6. Question. With regard to 1.1.2, please expand upon the architecture and applications platform for the CA Courts Case Management System and Phoenix Financial/Human Resources System?

AOC Response: It is outside the scope of this solicitation to discuss the details of any of the AOC’s technology initiatives, or as yet unknown or undefined technology initiatives, except to state that such initiatives drive the professional technical staff augmentation requirements contemplated by this solicitation and support the depth of classifications listed in Attachment C. Proposers desiring more information regarding specific initiative may utilize the “Search” function of the AOC’s Courtinfo website located at: <http://www.courtinfo.ca.gov/>.

7. Question. With regard to 1.1.2, please expand upon the “various technology initiatives” that could require support?

AOC Response: Please see the AOC’s response to Question #6.

8. Question. With regard to F.2, would responses as they apply to a subcontractor be acceptable?

AOC Response: Yes, provided your firm was the prime contractor of record for that placement.

9. Question. With regard to F.3, how will pricing be evaluated since it does not appear that baseline rates are being requested? What is the intended use of the mark-up and overhead information in the evaluation process?

AOC Response: For the purpose of awarding master agreements, pricing will be evaluated against the criteria specified in F-3, e.g., discount structure , markup/overhead rates, and subcontractor markup rates. The AOC has determined that baseline hourly rates for the classifications specified in Attachment 3 are not deemed relevant criteria for the purpose of evaluating proposals and awarding master agreements resulting from this solicitation due to the potential duration of any awarded master agreement.

The AOC's intended use of the markup and overhead information in the evaluation process is to be able to comparatively evaluate the cost of prospective labor requirements between proposing firms.

10. Question. Re: Attachment F-2, Placement History – Part II References. Recognizing that written releases from our clients and consultants are a prerequisite for provision of some of the requested reference data, would it be acceptable to provide requested reference data for a representative subset of the 2010 placements and provide for each classification both the total number of 2010 placements as well as the number of 2010 placements where the required reference data is available and provided?

AOC Response: No. Please see the AOC's response to Question #3. If proposer cannot obtain written releases (where necessary) to provide the full reference data required, then proposer should not include that placement in the placement history.

11. Question. Re: Attachment F-3, Pricing – Part I Discount Structure. Can we change the provided discount tiers (1-3, 4-6, 7-10, 11-14, 15+) in providing a discount based on the number of concurrent placements or can we instead propose a discount structure based on gross fees billed? Is the number of concurrent placements intended to mean the number of individual resources actively providing services to the AOC each month?

AOC Response: No, in order to ensure uniformity in administering the master agreement, proposer must fill-in the table provided in Part I without altering the specified discount tiers, or proposing an alternative discount structure.

The number of concurrent placements is intended to mean the number of individual resources providing services to the AOC [each under a separate Work Order] at the end of a calendar month.

12. Question. Re: Attachment F-3, Pricing – Part II Mark-up/Overhead. Is it acceptable to provide a mark-up range or an average mark-up rather than a single mark-up for assigned employees/subcontractors?

AOC Response: No to a markup range or average markup. It is the intent of the AOC to contractually establish: (1) a maximum markup that a proposer may add to the hourly rate that proposer actually pays to a Key Personnel when such Key Personnel are employees or independent contractors of the proposer, and (2) a maximum markup that proposer may add to the hourly rate that proposer actually pays to a Key Personnel when such Key Personnel are employees or independent contractors of proposer's subcontractors that the proposer uses to fulfill AOC staff augmentation requirements. The markups proposed by proposers will be set forth as not-to-exceed percentages in the respective master agreement, should proposer be awarded a master agreement. Within the Work Order Process, proposers will have the opportunity to adjust the markups for individual Work Orders provided such revised markups do not exceed the not-to-exceed markup percentages set forth in a relevant master agreement.

13. Question. Can we submit same reference for multiple classifications?

AOC Response: Please see the AOC's response to Question #3. Proposers shall only indicate the "number of placements" for which proposer has provided the required corresponding reference detail. The reference detail required by F-2 Part II is intended to be individual placement-specific. If proposer made placements of multiple classifications to the same company/agency proposer must still use a completely filled-in reference template for each placement even if some of the information may be the same.

14. Question. How can we approve our subcontracting relationships with other firms?

AOC Response: By this question, the AOC assumes you meant how do you obtain the AOC's approval for subcontractors you have existing relationships with, or for ones that you plan on engaging for the purposes of using them to assist you in providing breadth of coverage of the AOC's classifications. Based on this assumption, the AOC's response is as follows: Proposers need to identify all subcontractors in the cover letter to your proposal as specified in Section 9.1 of the RFP. If you are then awarded a master agreement, the AOC will approve the use of those subcontractors in writing.

In order for additional subcontractors to be approved after a master agreement has been executed, you would identify the proposed subcontractor to the AOC in writing, and the AOC would approve such subcontractor in writing.

15. Question. Who are the current vendors at AOC, can we have that list?

AOC Response: There are presently over 17 companies providing staff augmentation contractor personnel to the AOC. The identities of those firms are not relevant to the requirements of this solicitation.

16. Question. How many sub contractors can we use?

AOC Response: Although the use of sub contractors is not a requirement of this RFP, the proposer may use as many sub contractors as necessary to ensure adequate coverage of the breadth of classifications the proposer intends to propose on over the term of a master agreement.

Even if a proposer does not intend to use subcontractors in fulfilling the service requirements under a master agreement, if awarded, at the proposal stage, they must still propose a subcontractor markup in Part III of Attachment F-3 in their proposal.

17. Question. Nowhere is it specified about requirement of key personnel(consultants) resumes for Job classifications listed in the Attachment-C. So our understanding is we don't need to submit resumes for classifications in Attachment-C but need to submit company designated Key Staff(3 persons). Is that right?

AOC Response: Yes, your understanding is correct. As the purpose of this solicitation is only to identify and engage a sufficient number of staffing agencies under master agreements, and not Key Personnel for Work Orders at this stage, proposers need only to submit resumes for the designated Key Staff.

18. Question. One key person(consultant) may be eligible for more than one Job classifications listed in the Attachment-C, can we add the same to the placement history chart?

AOC Response: Each placement marked in the placement history chart in Part I of F-2 should be for a single placement made in a particular classification. If you made a placement of an single individual that had responsibilities that may cross over into two or more classifications, then you need to select a placement for only that classification that was the primary or principal requirement of the engagement, i.e., one individual, one placement.

19. Question. Can the company key person(1 of 3 key coordinators for the company) work at AOC if we get awarded. Reason for asking this question is our company key persons are highly technical

AOC Response: Based on the assumption that when you state company key person, you mean Key Staff, and also when you state, "can the company [Key Staff] work at AOC if you get awarded," that you mean, can a Key Staff also be selected as a Key Personnel under a Work Order issued under a master agreement, the AOC's response is that it depends. Provided serving as Key Staff does not interfere in any measure with performing the Key Personnel services required in a Work Order, and that any Key Staff services required to be performed by the Key Staff is being performed (i) completely outside the timeframe specified for the Work Order services (e.g. normal business hours, etc.), (ii) completely away from any AOC facilities, and (iii) does not involve the use of any AOC or State provided equipment, the AOC has no issue with an individual fulfilling both roles.

20. Question. Request for Proposals, Section 6.0, Existing Contracts: We are currently providing IT contractors to your organization, but are subbing them through a prime vendor. In the event that we are awarded a direct contract, can we stop billing our people through another vendor and bill them directly to AOC under our new Master Agreement?

AOC Response: No, you would not be able to start billing those direct to the AOC. As stated in Section 6.0, Existing Contracts, Key Personnel providing services to the AOC under existing contracts will remain under the existing contract until that contract expires [regardless of whether they are being provided as subcontractors through a prime vendor]. Should the AOC have a continuing requirement for the services after the expiration of the

existing contract, such requirements will be solicited under the Work Order Process of the awarded master agreements.

21. Question. How do we need to organize the response electronically? Do we need to prepare a single document having all the required information? Or all the attachment files need to be put separately on CD. Please clarify?

AOC Response: Regarding organizing a proposer's electronic proposal, proposers may prepare a single document that includes Attachments F-1 through F-6, or they may be included on CD as separate files labeled Attachment F-1, Attachment F-2, Attachment G, etc., as appropriate.

22. Question. Who are the incumbent contractors?

AOC Response: Please see the AOC's response to Question #15.

23. Question. What is the number of contractor personnel currently providing services to AOC?

AOC Response: Presently there are approximately 75 individual technical staff augmentation contractor personnel providing services to the AOC.

24. Question. What positions are currently being filled by contractor personnel?

AOC Response: Staff augmentation contractor personnel are filling position that cover virtually the entire range of classifications set forth in Attachment C of the RFP

25. Question. What is the number of contractor companies with personnel currently providing support to AOC?

AOC Response: Please see the AOC's response to Question #15.

26. Question. Are proposers required to bid on all classifications, or may we select only some of the classifications to bid on?

AOC Response: Proposers may choose to propose on all classifications or may select some specific classifications to propose on. As it is the intent of the AOC to award an undetermined number of master agreements to ensure adequate competition and coverage for all classifications, proposers who propose on all classifications may have a decided advantage over proposers who only propose on selected classifications.

27. Question. Does JCC require the offerer to return any documents in the response other than Attachments F and G?

AOC Response: Other than a brief cover letter as detailed in Section 9.1 of the RFP, a proposer's proposal shall consist entirely of the completed and filled-in Attachments F (Attachments F-1 through F-6) and G.

28. Question. Is there a page limit, margin, or font size requirement?

AOC Response: There is no page limit, and no specific margin or font size requirements. Proposers should use their judgment when choosing a font size to ensure the information is

clearly readable. As an FYI, the AOC used 12 pt Times New Roman in preparation of the solicitation. The boxes for each evaluation criteria should be expanded to contain all of the information required for each specific criteria.

29. Question. What is the proposal submission form?

AOC Response: The proposal submission form is the completed and filled-in Attachment F (Attachments F-1 through F-6).

30. Question. Can we cut and paste the attachment F text and boxes into our proposal? We would like to do this for formatting reasons.

AOC Response: No. Except for the brief cover letter, required as set forth in Section 9.1 of the RFP, a proposer's proposal will consist entirely of the completely filled-in Attachment F (Attachments F-1 through F-6), and Attachment G of the RFP. The order and structure of these proposal submission attachments are designed for uniformity to ensure the evaluation team has the ability to easily compare and evaluate the required information from multiple proposers. Any deviation from this order and structure may cause difficulties in evaluating a proposal.

31. Question. Can JCC please provide a copy of attachment G in word format?

AOC Response: No. It is only available as a PDF file.

32. Question. Regarding Attachment F-2, Part I, does JCC ask that we list all of our placements in those classifications that we have placed within JCC only or in our entire company? If entire company (regarding F-2 Part II), there will be far too many references to list. Is there a particular amount of references that would satisfy this question (For example, 5 references)?

AOC Response: Please see the AOC's response to Question #3. In addition, it depends on which organization is signing and submitting the proposal, and under whose Tax ID. If the parent company is using the placement history for the entire company to demonstrate the breadth and depth of its ability to cover the AOC's classifications, then the AOC expects the proposer to provide reference information across the entire company for each placement they are claiming in Part I of F-2, with the parent company signing the proposal under the parent company's Tax ID. If a regional or sub-office of a larger company is signing and submitting the proposal under their own Tax ID as a separate legal business entity, then they should only include those placements that have been made from that specific business entity (regional or sub-office).

33. Question. In terms of the turnover rates for F-6, part III, specifically for the designated Key Staff, are you looking for the rate for our specific office in which the key staff sit, or for the turnover rates for their positions, company-wide?

AOC Response: The AOC is looking for the turnover rates for Key Staff in whichever office proposer is proposing to manage a master agreement, if awarded.

34. Question. Can you please let us know what the interview portion of the RFP will consist of? Will we need to make a presentation, and who would you like to meet with? If need be, we will fly in certain vice presidents or executives for this.

AOC Response: Interviews, if conducted, would only be to clarify aspects of a proposer's submittal. It would most likely be a question and answer session between the AOC and your designated Key Staff, along with others subject matter experts, at your discretion, who have direct knowledge of your submittal. It very specifically will not be to make a presentation or offer a sales pitch.

35. Question. Can we include a 4th Key Staff member? This would be our Managing Director, who oversees the Account Representative.

AOC Response: No. The Key Staff identified in the RFP will have specific management roles regarding an awarded master agreement. Even if the Managing Director acted as the contractor's Account Manager for the master agreement, the Key Staff role would be as Account Manager and not Managing Director for purposes of a master agreement. Additionally, should the AOC agree to include your Managing Director as a Key Staff, any replacement of such a designated Key Staff would have to be pursuant to Exhibit B, Section 11, Contractor's Personnel and Replacement of Personnel, of the Master Agreement Terms and Conditions (Attachment B of the RFP).

36. Question. In terms of the rate discount for F-3, part I, will this be applied to contractors that we currently have on site, or will it apply to new contracts placed under the MSA?

AOC Response: Discount rate will only be applied to Work Orders issued under the master agreement, and will not apply to existing contracts as set forth in Section 6.0, Existing Contracts, of the RFP.

37. Question. In terms of the Accounting Lead for Key Staff, will they be dealing with just billing issues or with payroll and other issues as well?

AOC Response: The Key Staff Accounting Lead will be the contractor's point of contact responsible for all billing and invoicing issues.

38. Question. In terms of F-4, part II, what does it mean that Key Staff resumes will be incorporated into the MSA?

AOC Response: It means that the skill and experience level of the Key Staff, as specified in their resumes, would be set as a baseline should it ever be necessary to replace Key Staff, and that any individual(s) replacing such Key Staff would have to demonstrate at a minimum a similar level of skill and experience. Any replacement of Key Staff would be pursuant to Exhibit B, Section 11, Contractor's Personnel and Replacement of Personnel, of the Master Agreement Terms and Conditions (Attachment B of the RFP).

39. Question. In terms of F-1, part II, does the Key Personnel refer to our contractors on site at the JCC or our internal Key Staff?

AOC Response: Key Personnel has the same meaning throughout this RFP. Key Personnel refers to those individuals who have been placed at a site under a fully executed Work Order. They are not your internal Key Staff.

40. Question. Should the proposer be able to address all classifications listed, by use of subcontractors if necessary, or can an individual firm respond to address only specific classifications.

AOC Response: As it is the intent of the AOC to award an undetermined number of master agreements to ensure adequate competition and coverage for all classifications, proposers that can cover the greatest breadth of classifications whether through use of their own resources or through their strategic use of subcontractors may have a decided advantage over proposers who only address specific classifications.

Even if a proposer does not intend to use subcontractors in fulfilling the service requirements under a master agreement, if awarded, at the proposal stage, they must still propose a subcontractor markup in Part III of Attachment F-3 in their proposal.

END OF QUESTIONS AND ANSWERS