

DEPARTMENT OF HUMAN RESOURCES
CECIL COUNTY DEPARTMENT OF SOCIAL SERVICES
IN AND FOR THE STATE OF MARYLAND
REQUEST FOR PROPOSALS

This meeting was taken on Thursday, June 4, 2015, commencing at 10:00 a.m., at the Cecil County Department of Social Services, 170 East Main Street, Elkton, Maryland, 21921, before the Procurement Officer, Ellis Scott.

TRANSCRIBED BY: Kimberly C. Dacey, CCR
Certified Court Reporter & Maryland Notary Public

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A P P E A R A N C E S

Cecil County Department of Social Services

Ellis Scott, Procurement Officer

Nicole Meekins, Director

170 East Main Street

Elkton, Maryland 21921

Potential Bidders

Michael J Scibinico, Esq.

Clara E. Campbell, Esq.

Cameron A. Brown, Esq.

James A. Dellmyer, Esq.

P R O C E E D I N G S

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3 MR. SCOTT: Good morning. My name is Ellis
4 Scott and I'd like to welcome you to the Cecil County
5 Department of Social Services. Today we will share
6 information with you concerning the Request for
7 Proposals (RFP) entitled "Legal Services for Cecil
8 County Department of Social Services." The Agency
9 Control Number for this RFP is CEDSS/CWS/16-001-S.

10 If you have not already done so, please sign in
11 and indicate whether your organization is certified MBE,
12 VSBE or SBR. The Department likes to track the
13 participation of these companies in any procurement
14 opportunity. If you have a business card, please
15 provide that and that will satisfy your sign-in
16 requirement.

17 Please note that this conference is being
18 transcribed. When asking questions, please state your
19 name and the name of your company for the record. A
20 transcript of this conference will be made available on
21 eMaryland Marketplace and the DHR website.

22 Introductions; I have stated who I am, Ellis
23 Scott.

24 MS. MEEKINS: Nicole Meekins, Director of
25 Cecil County Department of Social Services.

1 MR. SCOTT: Vendor?

2 MR. SCIBINICO: Michael Scibinico,
3 prospective bidder.

4 MR. SCOTT: All right.

5 General Information: The Cecil County Department
6 of Social Services is issuing this Request for Proposals
7 to acquire the services of a practicing attorney,
8 licensed in the State of Maryland, to represent the
9 agency before the Cecil County Courts for matters of
10 Child Welfare, Adult Protective Services, Adult
11 Services, Foster Care, Child Care, and Services to
12 Families with Children. In addition, the attorney must
13 consult with and advise CEDSS staff on other general
14 legal matters which may come before the Agency as
15 required by the Maryland Annotated Code, Human Services
16 Article subsection 3-601 and as outlined in Section 3 of
17 this Request for Proposals (RFP). The anticipated
18 duration of services to be provided under this Contract
19 is five years. The Department intends to make one award
20 as a result of this solicitation.

21 Section 1.5 - Procurement Officer: For the
22 purposes of this RFP, the Procurement Officer, who is
23 me, is the sole point of contact between the State and
24 the vendor community. Please do not contact any other
25 State representatives regarding questions about this

1 RFP; please direct all inquiries to my attention.

2 Section 1.8 - eMaryland Marketplace: In order to
3 receive a Contract award, vendors must be registered on
4 eMM. Each Offeror is requested to indicate its eMM
5 vendor number on the Transmittal Letter submitted at the
6 time of its Proposal submission.

7 Section 1.9 - Questions and Responses: There
8 have been many substantive questions received prior to
9 this conference, however, time will not permit us to
10 respond to them at this time. However, responses to all
11 questions will be posted on eMaryland Marketplace and
12 the DHR Website with sufficient time to allow Offerors
13 to review them to assist with formulating their proposal
14 submissions. If any questions that are asked during
15 this conference are responded to during the conference,
16 please be advised that the responses to these questions
17 will also be posted. Should there be a discrepancy
18 between responses provided subsequently, the written
19 responses shall prevail.

20 Section 1.11 - Proposal Due Date and Time: An
21 unbound original and 5 copies of both the Technical and
22 Financial Proposals must be received by the Procurement
23 Officer no later than 3:00 p.m. local time on Tuesday,
24 July 21, 2015, in order to be considered. Requests for
25 extension of the due date and time will not be granted.

1 Proposals received after the due date and time cannot
2 and will not be accepted except as provided under the
3 provisions of COMAR 21.05.03.02 F and 21.05.02.10. If
4 you are mailing your proposal, please allow sufficient
5 time for mailing to ensure that it is received by me
6 prior to the proposal due date and time. A postmark by
7 the due date and time is not acceptable; it must be
8 received by me. More information regarding the Proposal
9 format will be covered in Section IV.

10 Section 1.12 - Multiple or Alternate Proposals:
11 Multiple or alternate proposals will not be accepted for
12 this solicitation.

13 Section 1.14 - Public Information Act Notice: An
14 Offeror should give specific attention to the clear
15 identification of those portions of its Proposal that it
16 considers confidential and/or proprietary commercial
17 information or trade secrets, and provide justification
18 why such materials, upon request, should not be
19 disclosed by the State under the Public Information Act.
20 This confidential and/or proprietary information should
21 be identified by page and section number and placed
22 after the Title Page and before the Table of Contents in
23 the Technical Proposal and if applicable, separately in
24 the Financial Proposal. Offerors are advised that, upon
25 request for this information from a third party, the

1 Procurement Officer is required to make an independent
2 determination whether the information must be disclosed.

3 Section 1.25 - Bid/Proposal Affidavit:

4 Attachment B of the RFP. This form must be completely
5 filled out and submitted with your Technical Proposal.
6 You only need to submit it with the original of the
7 Technical Proposal; copies are not required.

8 Section 1.26 - Contract Affidavit: This form is
9 only to be submitted after notification of apparent
10 contract award. Please do not include with the
11 Technical Proposal.

12 Section 1.28 - Verification of Registration and
13 Tax Payment: Before a business entity can do business in
14 the State it must be registered with the State
15 Department of Assessments and Taxation (SDAT). SDAT is
16 located at the State Office Building, 301 West Preston
17 Street, Room 803; Baltimore, Maryland, 21201. The SDAT
18 website is listed in this section of the RFP. It is
19 strongly recommended that any potential Offeror complete
20 registration prior to the due date for receipt of
21 Proposals; or that you review your registration
22 information to ensure that it is accurate and
23 up-to-date. An Offeror's failure to do so may result in
24 an otherwise successful proposal being dropped from
25 consideration for contract award.

1 Section 1.36 - Conflict of Interest Affidavit and
2 Disclosure: Offerors shall complete and sign the
3 Conflict of Interest Affidavit and Disclosure,
4 Attachment I, and submit it with their Proposal. All
5 Offerors are advised that if a contract is awarded as a
6 result of this solicitation, the successful Contractor's
7 personnel who perform or control work under this
8 Contract and each of the participating subcontractor
9 personnel who perform or control work under this
10 Contract shall be required to complete agreements
11 substantially similar to Attachment I.

12 Section 1.37 - Non-Disclosure Agreement: All
13 Offerors are advised that this solicitation and any
14 resultant Contracts are subject to the terms of the
15 Non-Disclosure Agreement (NDA) contained in this
16 solicitation as Attachment J. This Agreement must be
17 provided with 10 business days of notification of
18 proposed Contract award; however, to expedite
19 processing, it is suggested that this document be
20 completed and submitted with the Proposal.

21 Section 1.33 - Minority Business Enterprise
22 Goals: First, be advised that Minority Business
23 Enterprises are encouraged to respond to this
24 solicitation.

25 An overall MBE subcontracting participation goal

1 of 5% of the non-personnel contract dollar amount has
2 been established for this procurement. When you submit
3 a proposal in response to this RFP, you agree that this
4 dollar amount of the contract will be performed by
5 verified minority business enterprises. You ensure
6 that any proposed MBE subcontractors are registered with
7 the Maryland Department of Transportation as a certified
8 MBE in the category for which they will be providing the
9 proposed service. There are no sub-goals associated
10 with this RFP.

11 An offeror submitting a Proposal in response to
12 this RFP must complete and submit with their Proposal
13 Attachment D-1A (MBE Utilization and Fair Solicitation
14 Affidavit & Participation Schedule). It is important
15 that this form is completed and submitted with your
16 Technical Proposal. In Section 1 of the form, you are
17 to only check one of the two boxes; either you intend to
18 meet the entire goal, or you are unable to meet the
19 goal; and intend to ask for a waiver of the MBE goal in
20 whole, or in part.

21 In Section 4, you must complete all boxes for all
22 MBE subcontractors being utilized during the contract
23 period. You will list the name of the MBE firm, the MBE
24 Certification Number, the FEIN number, identify the
25 specific MBE category of the firm, the percentage of the

1 total contract value to be provided by the MBE, and a
2 description of the work to be performed by the MBE.
3 This work must be directly related to the services
4 required in this RFP. Please also ensure that you sign
5 the form on the last page. Failure to complete and
6 submit this form will result in your proposal being
7 deemed not reasonably susceptible of being selected for
8 award. In other words, if this form is not returned
9 with your proposal submission, your Proposal will be
10 dropped from consideration for contract award.

11 As set forth in COMAR 21.11.03.12-1(D) when a
12 certified MBE participates on a contract as a prime
13 contractor, including a joint-venture where the MBE firm
14 is a partner, a procurement agency may count the
15 distinct, clearly defined portion of the work of the
16 contract that the certified MBE firm performs with its
17 own work force towards fulfilling up to 50% of the MBE
18 participation sub goals, if any, established for the
19 contract. In order to receive credit for
20 self-performance, an MBE prime must list its firm in
21 Section 4A of the MBE participation schedule Attachment
22 D-1A and include information regarding the work it will
23 self-perform. For the remaining portion of the overall
24 goal and sub-goals, the MBE prime must also identify
25 other certified MBE subcontractors, see Section 4B of

1 the MBE Participation Schedule, Attachment D-1A, used to
2 meet those goals. If dually-certified, the MBE prime
3 can be designated as only one of the MBE classifications
4 but can self-perform up to 100% of the stated sub-goal.

5 If you have been notified that your Proposal has
6 been selected for apparent award, you must complete and
7 submit additional documentation.

8 (Interruption of proceedings.)

9 MR. SCOTT: If you would like to introduce
10 yourselves for the record.

11 MS. CAMPBELL: I am Clara Campbell.

12 MR. BROWNE: I am Cameron Browne.

13 MR. DELLMYER: I am James Dellmyer.

14 MR. SCOTT: My name is Ellis Scott. This is
15 the Director of Social Services here, Nicole Meekins.

16 We started the meeting and basically, it is me
17 reading the script of material so that it is entered
18 into the record that will be posted on our website.
19 Basically we are covering so far certain sections of the
20 RFP. So anything that you missed will be there.

21 So I would like to continue on, if that's all
22 right.

23 MR. DELLMYER: Certainly.

24 MR. SCOTT: First you must submit attachment D,
25 outreach effort compliance statement; which is a form

1 that outlines the efforts made by your organization to
2 reach out to MBE vendors in an attempt to achieve the
3 MBE subcontracting goal for this RFP. In addition, for
4 each MBE subcontractor listed on your MBE Utilization
5 and Fair Solicitation Affidavit & Participation
6 Schedule, you must complete Attachment D-3A (MBE
7 Subcontractor Project Participation Certification) which
8 is your agreement with the MBE subcontractor to provide
9 the services described on the MBE Affidavit. These
10 forms must be signed by both the Prime Contractor and
11 the subcontractor; and be returned to the procurement
12 officer within 10 days after notification of apparent
13 award. If the contractor is C, (MBE and is counting its
14 own work towards a portion of meeting the overall MBE
15 subcontracting goal, then the vendor must also complete
16 and submit Attachment D-3B (MBE Prime Project
17 Participation Certification) within ten days after
18 notification of apparent award. Failure to submit any
19 of these documents will result in a determination that
20 the Offeror is not responsible and therefore not
21 eligible for contract award. If an award determination
22 has already been made, the award is voidable.

23 If on your Certified MBE Utilization and Fair
24 Solicitation Affidavit you stated your intention to
25 request either a full or partial waiver, once you have

1 been notified of apparent award, you need to complete
2 and submit a request for a waiver for that portion of
3 the MBE subcontracting goal, which includes your reason
4 for not being able to achieve the MBE goal. This
5 documentation includes Exhibit A of Attachment D-18;
6 Waiver Guidance for each unavailable MBE; and Attachment
7 D-1C, (Good Faith Efforts Documentation to Support Waiver
8 Request). This information must be submitted within 10
9 days after notification of apparent award. Please be
10 advised that waivers are not automatically approved. If
11 a waiver request is not approved, the offeror's Proposal
12 will be dropped from consideration for contract award.

13 Amendments for Unforeseen Circumstances: Any
14 changes to the MBE Utilization and Fair Solicitation
15 Affidavit & Participation Schedule prior to or after
16 Contract execution must be approved in accordance with
17 COMAR 21.11.03.12 prior to allowing a new MBE to begin
18 work on the Contract. The apparent awardee shall
19 immediately notify the Procurement Officer regarding MBE
20 changes prior to contract execution. Contractors will
21 notify the State Project Manager regarding MBE changes
22 after Contract execution.

23 Prompt Payment Policy: It is DHR's policy that
24 if a subcontractor has performed service under a State
25 contract, they should be paid by the prime contractor,

1 and paid promptly. The State allows the Department
2 several remedies if there is an undisputed amount that a
3 prime contractor is withholding from paying to a
4 subcontractor; including, withholding contract payment
5 to the prime contractor until the undisputed amount has
6 been paid, or the Department paying the subcontractor
7 and reducing contract payment to the prime by the amount
8 of the payment made to the subcontractor.

9 Are there any questions?

10 (No questions.)

11 MR. SCOTT: Okay.

12 Section 1.34 - Living Wage Requirements: The
13 Living Wage Law requires certain contractors and
14 subcontractors to pay minimum wage rates to employees
15 working under certain State Services contracts. A
16 solicitation for is services under a State contract
17 valued at \$100,000 or more may be subject to Title 18,
18 State Finance and Procurement Article, Annotated Code of
19 Maryland.

20 Effective September 26, 2014, Contractors and
21 Subcontractors subject to the Living Wage Law shall pay
22 each covered employee at least \$13.39 per hour. If
23 State contract services valued at 50% or more of the
24 total contract value are performed in the Tier 1 Area.

25 If State contract services valued at 50% or more

1 of the total contract value are performed in the Tier 2
2 Area, an Offeror shall pay each covered employee at
3 least \$10.06 per hour.

4 The specific Living Wage rate is determined by
5 whether a majority of services take place in a Tier 1
6 Area of Tier 2 Area of the State. The Tier 1 Area
7 includes, Montgomery, Prince George's, Howard, Anne
8 Arundel, and Baltimore Counties, and Baltimore City.
9 The Tier 2 Area includes any county in the State not
10 included in the Tier 1 Area.

11 If a business has operations in areas with two
12 different wage tiers, the rate you pay is determined by
13 the area where 50% or more of the total contract value
14 is performed.

15 If the employees who perform the services are not
16 located in either Tier 1 or Tier 2, the living wage rate
17 will be based upon where the majority of the recipients
18 of the services are located.

19 This contract has been determined to be a Tier 2
20 Contract.

21 Additional information regarding the State's
22 Living Wage requirement is contained in Attachments G
23 and G-1, entitled Living Wage Requirements for Service
24 Contracts and Affidavit of Agreement.

25 The Affidavit of Agreement must be completed and

1 submitted with the original copy of the Technical
2 Proposal. Failure to complete and submit the Living
3 Wage Affidavit of Agreement will result in a
4 determination that the Offeror is not responsible.

5 The Maryland Living Wage Law is administered by the
6 Department of Labor Licensing and Regulation.
7 Additional Living Wage information pertaining to
8 reporting obligations may be found by going to the
9 Maryland State Department of Labor, Licensing and
10 Regulations (DLLR) website.

11 The Living Wage rates are subject to annual
12 adjustment by DLLR. However, the Contractor's prices
13 under the contract may not change because of any Living
14 Wage adjustments. Offerors must factor this into their
15 Pricing Proposal submissions.

16 Section 1.43 - DHR Hiring Agreement: All
17 offerors are advised that if a Contract is awarded as a
18 result of this solicitation, the successful Offeror will
19 be required to complete a DHR Hiring Agreement. A copy
20 of this Affidavit is included as Attachment O. This
21 Affidavit must be provided within five (5) business days
22 of notification of proposed Contract award.

23 Section 2 - Offeror Minimum Qualifications: The
24 Offeror shall have two (2) years of recent experience
25 (within the last five (5) years) in administrative,

1 child welfare, child disability, family law, adult
2 protective services, and/or related legal fields. As
3 proof of meeting this requirement, the Offeror shall
4 provide with its Proposal three (3) business reference
5 letters to support the Proposal, that address the
6 experience of the Offeror or the Offeror's personnel who
7 will be assigned to this contract. References shall be
8 submitted in the format as specified in Section 4.4.2.9
9 of this RFP. In addition, the attorneys proposed to
10 service this contract shall be licensed to practice law
11 in the State of Maryland. As proof of meeting this
12 requirement, the Offeror shall provide with its Proposal
13 a copy of a Certificate of Good Standing from the
14 Maryland Court of Appeals for each attorney assigned to
15 this Contract.

16 Section 3 - Scope of Work:

17 Now Nicole, you were going to give a brief
18 description of this Contract.

19 MS. MEEKINS: I can.

20 My name is Nicole Meekins, I am the director of
21 the Department of Social Services. I am here to
22 describe the scope of describe the work of work for you.

23 This agency is comprised of 90 service personnel
24 of which, not all, but a significant number of them need
25 the guidance and support of our legal counsel in order

1 to do their daily work.

2 The majority of the work relates around Child
3 Welfare. Particularly the areas of Emergency Shelter
4 Care hearing, following the SINA hearings. And
5 following that are the potential Guardianship Adoption
6 hearings. Along the way, are other types of hearings
7 that can happen.

8 Our workers here need guidance with matching up
9 Family Law, COMAR Law, Policy, Procedure; and then
10 carrying that out and being able to A, understand it
11 themselves. Two, be able to explain it to families.
12 And then either while the hearings are going on and
13 aftermath thereafter.

14 There is also a considerable amount of need to
15 understand written legal documentation that's provided
16 to us. So through the mail, things just show up at our
17 offices. Things that are related to cases. And we are
18 looking to know; should this information be squashed?
19 Should this information be responded to? How it should
20 it be responded. All of which can contain
21 cross-reference for protective orders, cross-reference
22 for custody orders, cross-reference for a judge, maybe,
23 asking specific questions.

24 Additionally, we have a small group of staff who
25 do Adult Protective Services and Adult Guardianship.

1 What our experience has been is that some of
2 those cases are originating out of Baltimore because
3 those individuals go for medical care in Baltimore.
4 Medical staff and that department assess a situation and
5 go to court. And then we are receiving legal
6 documentation in the mail saying, "This is your
7 customer." "This is your resident." "Please, show up
8 here at these court hearings." And whether we are
9 responding to them by mail or choosing not to respond to
10 them at all; we need guidance around those types of
11 areas.

12 It is important that there is some
13 cross-reference and knowledge about how removal of
14 children and SINA hearings affects Child Support,
15 affects Custody Orders, affects other types of legal
16 arenas, whereby that those parties might be involved.

17 I think the RFP is pretty clear about of how
18 often we need this type of guidance; whether it's
19 verbal, written or in person.

20 If there are any questions as we go further, we
21 can do that.

22 MR. SCOTT: We will have questions at the
23 end.

24 Section 4 - Proposal Format.

25 Section 4.1 - Two Part Submission: Offeror's

1 shall simultaneously submit Proposals in separate
2 volumes: Volume I: Technical Proposal and Volume II:
3 Financial Proposal.

4 Section 4.2 - Proposal: Volume I - Technical
5 Proposal, and Volume II Financial Proposal shall be
6 sealed separately from one another. It is preferred,
7 but not required, that the name, email address, and
8 telephone number of the Offeror be included on the
9 outside of the packaging for each volume. Each Volume
10 shall contain an unbound original, so identified, and
11 four (4) copies. Unless the resulting package will be
12 too unwieldy, the State's preference is for the two (2)
13 sealed Volumes to be submitted together in a single
14 package including a label bearing: The RFP title and
15 number, name and address of the Offeror, and closing
16 date and time for receipt of Proposals.

17 An electronic version (on Compact Disk/CD,
18 Digital Versatile Disc/DVD, or Universal Serial Bus/USB
19 Flash/Thumb Drive) of Volume 1-Technical Proposal in
20 Microsoft Word format must be enclosed with the original
21 Volume I - Technical Proposal submission. An electronic
22 version (on CD, DVD, or USB Flash Drive) of Volume II -
23 Financial Proposal in Microsoft Word or Microsoft Excel
24 format must be enclosed with the original Volume II -
25 Financial Proposal submission. Each CD/DVD/USB Flash

1 Drive must be labeled on the outside with the RFP title
2 and number, name of the Offeror, and volume number.
3 Each CD/DVD/USB Flash Drive must be packaged with the
4 original copy of the appropriate Proposal (Technical or
5 Financial).

6 A second electronic version of Volume I and
7 Volume II in searchable Adobe .pdf format shall be
8 submitted on CD or DVD for Public Information Act (PIA)
9 requests. This copy shall be redacted so that
10 confidential and/or proprietary information has been
11 removed.

12 All pages of both proposal volumes shall be
13 consecutively numbered from beginning (Page 1) to end
14 (Page "x").

15 Section 4.4 - Volume I Technical Proposal: Please
16 note: No pricing information is to be included in the
17 Technical Proposal (Volume I). Pricing information is
18 to be included only in the Financial Proposal (Volume
19 II)

20 The Technical Proposal shall include the
21 following documents and information in the order
22 specified below. Each section of the Technical Proposal
23 shall be separated by a TAB as detailed below:
24 Title Page and Table of Contents (Submit under TAB A)
25 Claim of Confidentiality (If applicable, submit under

1 TAB B A-1)
2 Transmittal Letter (Submit under TAB B) The Transmittal
3 Letter should include the following: Name and address of
4 the Offeror; name, title, e-mail address, and telephone
5 number of primary contact for the offeror; solicitation
6 Title and Agency Control Number that the Proposal is in
7 response to; signature, typed name, and title of an
8 individual authorized to commit the Offeror to its
9 Proposal; Federal Employer Identification Number (FEIN)
10 of the Offeror, or if a single individual, that
11 individual's Social Security Number (SNN); Offer's eMM
12 number; Offeror's MBE certification number (if
13 applicable); Offeror's SBR certificate number (if
14 applicable); Offeror's VSBE certification number (if
15 applicable); acceptance of all State RFP and Contract
16 terms and conditions; if any exceptions are taken, they
17 are to be noted in the Executive Summary; and
18 acknowledgement of all addenda to this RFP.
19 Executive Summary (Submit under TAB C)
20 Minimum Qualifications Documentation (If applicable,
21 Submit under TAB D)
22 Offeror Technical Response to RFP Requirements and
23 Proposed Work Plan (Submit under TAB E)
24 Offeror Qualifications and Capabilities (Submit under
25 TAB F)

1 Experience and Qualifications of Proposed Staff,
2 including proposed Subcontractors (Submit under TAB G)
3 References (Submit under TAB H)
4 List of Current or Prior State Contracts (Submit under
5 TAB I)
6 Financial Capability (Submit under TAB J)
7 Certificate of Insurance (Submit under TAB K)
8 Subcontractors (Submit under TAB L)
9 Legal Action Summary (Submit under TAB M)
10 Economic Benefit Factors (Submit under TAB N)
11 Additional Required Technical Submissions (Submit under
12 TAB O) This is the section where all of the required
13 forms are to be submitted.

14 Section 4.5 - Volume II Financial Proposal:
15 Under separate sealed cover from the Technical Proposal
16 and clearly identified in the format identified in

17 Section 4.2 "Proposals," the Offeror shall submit
18 an original unbound copy, four (4) copies, and an
19 electronic version in Microsoft Word or Microsoft Excel
20 of the Financial Proposal. The Financial Proposal shall
21 contain all price information in the format specified in
22 Attachment F. The Offeror shall complete the Financial
23 Proposal Form only as provided in the Financial Proposal
24 Instructions and the Financial Proposal Form itself.

25 Section 5 - Evaluation Committee, Evaluation

1 Criteria, and Selection Procedures

2 Section 5.1 - Evaluation Committee: Evaluation of
3 Proposals will be performed in accordance with COMAR
4 21.05.03 by a committee established for that purpose and
5 based on the evaluation criteria set forth below. The
6 Evaluation Committee will review Proposals, participate
7 in Offeror oral presentations and discussions, and
8 provide input to the Procurement Officer. The
9 Department reserves the right to utilize the services of
10 individuals outside of the established Evaluation
11 Committee for advice and assistance, as deemed
12 appropriate.

13 Section 5.2 - Technical Proposal Evaluation
14 Criteria: The criteria to be used to evaluate each
15 Technical Proposal are listed as follows in descending
16 order of importance: Offeror's Technical Response to RFP
17 Requirements and Work Plan; Offeror Qualifications and
18 Capabilities; Experience and Qualifications of Proposed
19 Staff, including proposed Subcontractors; Economic
20 Benefit to State of Maryland.

21 Section 5.3 - Financial Proposal Evaluation
22 Criteria: All Qualified Offerors (a responsible Offeror
23 determined to have submitted an acceptable Technical
24 Proposal) will be ranked from the lowest (most
25 advantageous) to the highest (least advantageous) price

1 based on the Offerors' Total Five-Year Price within the
2 stated guidelines set forth in this RFP and as submitted
3 on Attachment F; Financial Proposal Form.

4 Section 5.5 - Selective Procedures: A
5 determination is made that the MDOT Certified MBE
6 Utilization and Fair Solicitation Affidavit (Attachment
7 D-1) is included and is properly completed, if there is
8 a MBE goal.

9 The Financial Proposal of each Qualified Offeror
10 will be evaluated and ranked separately from the
11 Technical evaluation. When in the best interest of the
12 State, the Procurement Officer may permit Qualified
13 Offerors to revise their initial Proposals and submit,
14 in writing, Best and Final Offers (BAFOs). The State
15 may make an award without issuing a request for a BAFO.

16 Upon completion of the Technical Proposal and
17 Financial Proposal evaluations and rankings, each
18 Offeror will receive an overall ranking. The
19 Procurement Officer will recommend award of the Contract
20 to the responsible Offeror that submitted the Proposal
21 determined to be the most advantageous to the State. In
22 making this most advantageous Proposal determination,
23 technical factors will receive equal weight with
24 financial factors.

25 So that will take us to questions.

1 MR. DELLMYER: No questions at this time.

2 MR. SCOTT: I will say that we have had
3 several already submitted, and what will happen to them;
4 we will take your questions but we won't answer them
5 considering the time. Between our local department's
6 answers and DHR's answers, the questions and answers
7 will be published on the website.

8 If you have any questions, please, ask now.

9 MR. SCIBINICO: I'll ask a few questions, if
10 we're not going to cover the ones that I already
11 submitted; that takes out a lot of areas. But let me
12 ask a few that came up while you were talking.

13 I thought at one point you said you wanted an
14 original and five copies of the proposal, but I think it
15 says four in the RFP.

16 So I'm not sure if what you were reading from had
17 a different number; I just want to make sure I have the
18 write number, I guess.

19 MR. SCOTT: Okay.

20 MR. SCIBINICO: I'm pretty sure it says
21 original and four in Section 4.2.

22 So that's one question.

23 MR. SCOTT: Okay.

24 MR. SCIBINICO: On the matter of information
25 that is confidential. I looked at this a couple of

1 times and it wasn't clear to me, if you just listed that
2 in the executive summary or if you actually put that
3 information in the executive summery; or if you put it
4 in both places. It said something about putting it in
5 the executive summary.

6 MR. SCOTT: In other words, you are asking
7 if you would actually reveal it.

8 MR. SCIBINICO: Well, no. It's a separate
9 tab it's, Tab 1-A. If there is anything that is
10 confidential you are supposed the put it under Tab 1-A.

11 But that might be something that belongs
12 somewhere else in the proposal.

13 So does it wind up in both places or is
14 anything that is confidential just winds up in that Tab
15 1-A?

16 I was a little confused about that.

17 MR. SCOTT: Okay. I understand your
18 question.

19 MR. SCIBINICO: In one place you were
20 supposed to identify precisely by page and number what
21 was confidential.

22 MR. SCOTT: I understand. Because if they
23 listed in that one section -- if they listed both places
24 they would kind of have to redact the RFP.

25 I understand.

1 MR. SCIBINICO: So anyway, that was just a
2 question.

3 There is something called a transition
4 period, and I really wasn't sure what that meant. It
5 sounded like it was some extra time that might -- in
6 addition to the five years. It's on page 10 of the RFP.

7 MR. SCOTT: What's the section?

8 MR. SCIBINICO: It's 1.4.3. I just wasn't
9 sure what that was referring to.

10 MR. SCOTT: All right.

11 Mr. SCIBINICO: And then in the Contract,
12 which is Attachment A, something in here having to get
13 it Dun and Bradstreet numbered. I just have a feeling
14 that might not apply to this type of contract. It might
15 be something out of the road contract or something like
16 that.

17 MR. SCOTT: Okay.

18 MR. SCIBINICO: It also talked about some
19 State registry, called the central Contractor Registry.
20 Something else I just wasn't sure where that was.

21 MR. SCOTT: Where are you?

22 MS. MEEKINS: It's under paragraph 38 of the
23 contract, which is Attachment A.

24 It's talking about some federal law in 2006,
25 Transparent C Act.

1 MR. SCOTT: Oh, yeah.

2 MR. SCIBINICO: I just wasn't sure.

3 MR. SCOTT: I just had to fill out a form,
4 we did a memorandum for the County; that was something
5 that was new to me.

6 MR. SCIBINICO: I know the Feds don't want
7 you to lobby. And one of the affidavits is about not
8 lobbying. But this is more like financial requirements.
9 So I guess if we have to get it a Dun and Bradstreet
10 number, I need to know that. Because I don't know if we
11 even qualify to get it Dun and Bradstreet number. I
12 suspect we don't.

13 MR. SCOTT: All right.

14 MR. SCIBINICO: I could ask a few more, but
15 those are the main questions.

16 MR. SCOTT: Okay.

17 MR. SCIBINICO: Obviously, if the questions
18 get answered that will cover a lot of the other stuff.

19 MR. SCOTT: Okay. Is that all the questions
20 for now then?

21 (No further question.)

22

23 (Proceedings concluded at 10:49 p.m.)

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