

**RFP NYSDOCCS 2013-004:
Initial Bidder Questions as of April 18, 2014**

#	Question Received	RFP Reference	DOCCS Response
113	Are the usages provided on H-2 DOCCS Mandatory Commissary Offering Sheets projections or do these represent historical usage? If these are projections, please provide a report (or reports) showing the sales at NYSDOCCS commissaries over the last 3-6 months by item and/or please explain the basis for these projections.	Attachment H-2	<p>The usage figures in Attachment H-2 are past historical aggregates of the estimated usage by items. Each facility is currently responsible for bidding and procuring their own list of available items for resale to the inmate population. In an effort to demonstrate to the vendor community historical usage of items in terms of the RFP's future universal buy sheet, items which would have been categorized together under the universal buy sheet were combined and the aggregate is represented in Attachment H-2. These figures are a best estimate based on information available in the current point of sale system.</p> <p>Due to software and point of sale limitations, it would not be feasible to produce updated Attachment H-2 figures for the last three to six months.</p>
11	Is there any plan to go "smoke-free" in the future?	Section 1.3.1	The plan is to go facility grounds smoke free, no set timetable has been set.
12	Are there any facilities that are currently "smoke-free"?	Section 1.3.1	Our facilities are smoke free in the buildings. NO facility is completely smoke free on facility grounds.
41	If housing unit kiosks were to be utilized as an ordering method, please supply a listing of the requested number of housing unit kiosks per facility.	Section 5.1	DOCCS recommend at minimum, 1 Kiosk per 60 inmates.
93	In Section 9.3 aka Performance and Payment bond, the DOCCS states that it requires the contractor to furnish a five million dollar bond prior to the commencement of work. How does this request not, by its very nature, exclude small business from successfully bidding on this contract by creating a high barrier to entry? The term bond is vague; what type of bond is required?	Section 9.3	A bond is not an unreasonable request in this instance. Please refer to Appendix D for the description and language of the bond required
96	In Appendix B it notes that a prevailing wage is required. May we request the current wage rates of the DOCCS staff involved in commissary operations?	Appendix B	Prevailing wage will likely apply, depending on the bidder's proposal. Prevailing wage would apply to such services as electricians, electronic technicians, maintenance and repair of equipment or similar services.

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1	Regarding the RFP Main Document Equal Opportunity Requirements (page 17), please clarify that if a prime bidder submits a proposal which cumulatively directs 10% of the total value of the contract to MBE and 10% to WBE partners; this will be acceptable to the state regardless of whether each individual subcontractor directs exactly 10% of the value of the work to be assigned to them to an MBE and 10% to a WBE.	Page 17	See RFP, page 15, Business Participation Opportunities for MWBE.
5	Section 1.3 mentions that fans, hot pots, and offender organizational fund-raising items are also available for purchase within the commissary operation. Is the purchase of these items included in the weekly spending limits or in addition to the weekly spend limits?	Section 1.3	These items are not included in the spending limit; they are considered a special buy.
54	On page 50 of the DOCCS issued RFP, section 5.5 Technical Requirements and Interfaces, it reads 'The Commissary System and the interface with the proposed Trust Fund Accounting system and the DOCCS existing offender accounting system (ICAS) application shall be delivered and implemented no more than one hundred and twenty (120) calendar days after the award of the contract.' Due to the litigious nature of this industry and the potential for protest, would the DOCCS consider changing this requirement to 120 business days from contract signing?	Section 5.5, page 50	120 days after <u>approval</u> of contract by the NYS Office of the State Comptroller
90	Are sections 7.4.2 and 7.4.3 required of subcontractors?	Section 7.4.2, 7.4.3	Requirements are for bidders only (prime contractor).

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91	<p>In section 7.4.3 aka Complaint History, the RFP states that the bidder must disclose information regarding complaints lodged against them to any BBB, state commission, or attorney general within the last three years. Given the fact that this contract's duration is ten years, wouldn't the selection process be better served by knowing the bidders complaint history for the past ten years? The same question applies to section 2.9.8, which applies the same three year scope to a bidding company's security history report. Wouldn't the state's best interest be served by a more thorough knowledge of a company's security history? Doesn't this requirement coupled with section 7.1's stipulation that "Current employees of New York State Department of Corrections and Community Supervision may not be used as references," excludes companies that have long, favorable histories working with the state in favor of newer corporations coming from out of state?</p>	<p>Section 7.4.3 Section 2.9.8 Section 7.1</p>	<p>The RFP stands as written.</p>
92	<p>Regarding RFP Main Document 9.1 General Responsibility on page 69, please clarify that all proposers shall provide sufficient information to the NYSDOCCS as part of their proposals to enable the DOCCS to determine Proposer Responsibility as laid out in this section. For instance, please clarify that all proposers shall disclose any investigations, indictments, debarments or convictions that their company or company executives (including former executives) have been subject to while representing the company.</p>	<p>Section 9.1, page 69</p>	<p>This is covered in the Vendor Responsibility Questionnaire which bidders are required to complete and certify.</p>
95	<p>Section 9.11 on page 72 states that the State must benefit from all "applicable allowances" that the Contractor may receive related to the contract. Please confirm that this will not apply to this contract since the Contractor will not be selling products directly to the State as a part of the commissary services.</p>	<p>Section 9.11 on page 72</p>	<p>It does not apply.</p>
97	<p>Regarding the EEO Staffing Plan (Form EEO 100) required on page 4 of Appendix C, if we are proposing to open a warehouse and fulfill all commissary orders in New York within 6-9 months of contract award, should the hiring targets for that warehouse be included in the Staffing Plan?</p>	<p>Appendix C Form EEO 100</p>	<p>Form EEO 100 should reflect the actual staffing at the time it is submitted. Form EEO 101, Quarterly Compliance Report, is the place where updated staffing would be reported.</p>

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74	On page 58 of the DOCCS issued RFP, section 6.4 Requirements, it reads "All transactions both into and out of DOCCS' accounts must be approved by DOCCS." What is the process for approval and how long does this process take?	Section 6.4, page 58	Currently DOCCS staff review deposits to insure they are from allowable sources and disbursements to insure they are within DOCCS rules. The time to do this varies. Some deposits and disbursements require more research.
76	What would be considered a "free transaction"?	Section 6.4.1.4.1 page 59	Any transaction such as but not limited to a deposit, cash withdrawal, purchase of goods, balance inquiry , etc would constitute a free transaction.
77	Can DOCCS confirm that all banks used by DOCCS offer an electronic interface (web service, API, file transfer, etc.) that the system must utilize to transmit the request? Please provide the specifications of the interfaces offered by bank(s) and accepted by DOCCS.	Section 6.4.1.2	Office of the state comptroller cash management section has verified all banks used by DOCCS offer an electronic interface. DOCCS does not have specifications at this time.
81	What is the nature of the funds that would be received within a correctional facility?	Section 6.4.2.3	Funds received at the facility can be in the form of cash, checks or money orders.
83	How are "disbursements" made today?	Section 6.4.2.4	DOCCS disbursements are made by paper checks.
102	Attachment F, DOCCS Facilities Operating Commissaries, displays commissary hours for each facility. Are these the hours of delivery or the hours in which inmates can place commissary orders?	Attachment F	Delivery hours
103	Attachment F, DOCCS Facilities Operating Commissaries, provides the amount of products purchased annually by category. Would the Department please provide the current menu pricing for each items currently offered in its' commissary operations?	Attachment F	DOCCS does not have this information readily available. Each item varies in price by each facility bid as do the items sold.
111	Attachment G, Offender Banking Facilities, lists some facilities as having more than one bank. Would the Department please share why more than one bank is needed?	Attachment G	DOCCS Directive 2798 requires " All facilities shall make a reasonable effort to ensure that they are obtaining the best return on reserve funds" DOCCS obtains information from banks to determine best return rate (interest) and with Office of the State Comptroller approval opens a savings account, Certificate of Deposit or Money Markey Account with the institution providing the best rate of return.

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112	We've been in touch with many of the brands listed as 'National/Regional' brands in Attachment H-2. Some of these companies have sold the rights for exclusive distribution of certain item sizes or packaging formats to a single company who will be bidding for this contract. Will the DOCCS consider either allowing generic substitutions for items that simply are not commercially available for to most vendors or will the state generously approve alternate brands so that there can be competitive bidding? The affected brands include, but are not limited to, names like Gatorade, Kool Aid, Nescafe, Maxwell House, Kellogg and Velveeta.	Attachment H-2	The RFP speaks for itself.
119	Please confirm price increases can be done quarterly based on CPI Northeast Region starting from the date of the award.	Attachment K page 49	DOCCS believes the RFP addresses this question accurately. No additional clarification is necessary.
123	Will the successful vendor be required to buyback all existing commissary inventories? If so, will the DOCCS utilize a phase-out approach in which all facilities will buy product exclusively through the successful vendor in bulk until the designated go-live privatized commissary date?		No, the successful vendor will not be required to buy back any existing stock.
128	How do inmates order and receive commissary today?		Inmates are assigned a buy letter when received into a facility. A schedule is posted on each dorm with those letters so the inmate knows what day is his buy day. He receives his buy sheet the day prior, with his Name, Din, Housing Location and spending amount on a label. The inmate will mark which products he wants up to his allowed amount. The sheet gets turned in to the Housing Unit Officer the night before his buy day. The sheets are given to the Commissary the next morning and the buys are put together based on what was marked on the sheet. The inmate goes to the commissary to pick up his buy when his dorm is called and/or when he is not in a program. If he goes over his allotted amount, items are taken off in order from the last item marked. Inmate verifies what he receives and signs an itemized receipt.

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131	As we read the trust fund requirements, each facility will be responsible for managing their own trust fund database. Would the Department please confirm?		The solution must be an enterprise wide system. Each facility will have access to inmates at their facility
136	Can the DOCCS provide the staffing by location for commissary workers?		Commissary recommended hub staffing is provided in a separate document
6	Must a vendor provide both cigarettes and cigars?	Section 1.3.1	Yes.
9	When did the last spending limit increase for commissary take place?	Section 1.3.1	October 2008
117	What is your current process for the bottle return?	Attachment I	<p>Inmates currently return rinsed cans to their facility commissary for a 5 cent credit. Facility returns cans to vendor for a credit on invoices.</p> <p>Please note: Per RFP Attachment H-1; Commissary Restrictions, metal containers are prohibited. Therefore the bottle return process will no longer involve cans but a different container.</p>
2	Regarding 'RFP Main Document' part 1.2 Background (page 21), will our proposed inmate trust fund system be receiving a file from DataDirect Shadow or off of a BizTalk 2006R2 application server? Will the State make an appropriate IT contact available who can provide samples for the file formats that these applications typically export and what sorts of interfaces (SOAP, web-services etc.) they can support?	Section 1.2, page 21	The technology used to communicate with DOCCS back end mainframe systems will be evaluated and discussed with the successful vendor. For example, DOCCS currently leverages standard web services for multiple data exchanges. DOCCS will work with the successful vendor to establish data communication protocols.

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33	<p>We understand that per 2.6.3, Site Survey, the selected proposer will be required to perform a detailed survey of all 58 facilities before installing any required kiosks or other onsite equipment. So that proposers can make realistic plans for subcontractors, implementation and pricing; will the NYSDOCCS provide some basic information about inmate common areas or dayrooms in the NYSDOCCS' facilities?</p> <ul style="list-style-type: none"> · Do all dayrooms and or common areas have access to 120V, surge-protected power? i. If not, at how many of the 58 facilities will we need to engage a licensed electrician to install this wiring? · Do dayrooms and or common areas at all 58 facilities have space in secure conduit or raceway (i.e. Romec) in case any new data capacity needs to be provided? i. If not, at how many facilities will the selected proposer need to install conduit? ii. At how many facilities will we need to go through hardened concrete with our new conduit? 	Section 2.6.3	<p>Yes – DOCCS will provide the selected bidder basic information regarding facilities to assist in the implementation of the chosen solution.</p> <p>Site surveys will occur <u>after</u> a tentative contract award is announced. DOCCS will arrange the site surveys with the selected proposer (tentative awardee) at that time.</p>
89	<p>On page 63 of the DOCCS issued RFP, section 7.2 Company Experience, it reads 'The proposed systems and services must be commercially available system and have been in full production for at least one (1) year, for at least three (3) account(s), each account serving a minimum of five thousand (5,000) offender accounts at ten (10) or more geographically separate facilities.' Upon extensive review of the overall industry we believe that only one vendor can fully meet the above requirement. For this reason and to provide a fair and level playing environment, we respectfully request that the State amend its requirement to one reference for the above criteria. We further request that the State require submitting vendors to provide five additional references for their accounting and commissary systems for facilities that are 1,000 offenders and above.</p>	Section 7.2, page 63	<p>The RFP stands as written but we provide the following clarification of the language:</p> <p>'The proposed systems and services must be a commercially available system and have been in full production for at least one (1) year, for at least three (3) account(s). Each account would be serving a minimum total of five thousand (5,000) offender accounts. The 5000 inmates would be dispersed among ten (10) or more geographically separate facilities.'</p>

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115	<p>In Attachment H-3, DOCCS Commodity Brands Definitions and Listings, Section 1, it is stated that “Vendors may NOT substitute generic brands for national/regional brands”; how then is a vendor to offer generic brands of items? By definition are they just any other brand than the National Brand specified in the RFP? Secondly, National brands change from vendor to vendor over the course of time, are additional brands able to be offered over the course of the ten-year contract? The RFP does not mention additional brands being offered during the course of the contract. Most importantly, can you present a more comprehensive and better definition of national brands versus generic brands, versus regional brands versus manufacturers? There seems to be cross over in definition between the definition of a manufacturer and a national brand... do you mean manufacturer as it is a controlled by a Fortune 500 company? Given the fact that the DOCCS had purchasing history of all NYS purchasing through another bid, how is the department of corrections going to handle the products that vendors offer that are proprietary to one vendor? Would that prevent an open market approach to this bid?</p>	Attachment H-3 Section 1	DOCCS believes the RFP addresses these questions accurately. No additional clarification is necessary.
94	<p>Section 9.8 on page 71 of the RFP states that all installed wiring will become property of the DOCCS without additional cost. According to Article III.C of the Sample Agreement, the DOCCS may terminate the agreement for any reason upon 30 day notice. Given the number of Facilities which will be served by this agreement, the installation of wiring and equipment may represent a significant financial investment. Will the DOCCS be willing to negotiate protections for the Contractor’s investment if the agreement is terminated by the DOCCS prior to expiration of the 10 year term?</p>	Section 9.8 on page 71	<p>No, not required as DOCCS will be responsible for all internal wiring and power for proposed solutions.</p> <p>DOCCS will revise the termination clause from 30 days to 90 days notice.</p>
125	<p>Will all vendors be required to possess a New York Money Transmitter License at the time of submission?</p>		Yes, see Article 13-B of the New York State Banking Law.

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151	How long has the construction of this bid been in the works? Given the fact that contact and discussion with State employees is restricted, will anyone be accepted as a liaison to a proposal? Would a past employee be able to act as a liaison?		Please see New York State Finance Law §§139-j and 139-k. The restricted period commenced when the first advertisement of the RFP was published and will end when a contract is approved by the New York State Office of the Comptroller. Anyone who tries to influence a DOCCS employee to use a particular vendor during that time is in violation of the restricted period. If a former DOCCS employee works with or for a potential vendor, they should consult the New York State Joint Commission on Public Ethics (JCOPE).
3	Section 1.2 Background, it says that “The Department’s Management Information Services (MIS) division has developed and administers over 40 data systems that provide extensive management and administrative support to critical agency business units.” What good is done to the taxpayer, the prisoners, and their families by privatizing this data management process? What inspired the DOCCS to search for a replacement for their own MIS, doesn’t the State feel more comfortable with sensitive information being handled by its own agency? Why is the DOCCS looking towards companies that have traditionally supplied commissary items for this technological responsibility? How does the immediate request for a large, integrated, time tested, “turnkey” (Section 5.1) solution not immediately exclude companies that have provided years and years of specialized competitive service to the DOCCS’ various commissaries?	Section 1.2 Section 5.1	DOCCS believes the RFP addresses these questions accurately. No additional clarification is necessary.
4	Section 1.3 states that the inmate spending limits are “\$55 for stock items and \$22 for postage.” These limits are extremely low as compared to other Department of Correction and/or Municipal Jail facilities. Would the State entertain raising the spending limits for inmates?	Section 1.3	Not at this time. Please note there is a limit of 50 stamps. Also, some items are outside the \$55 spending limit – i.e. tobacco, hot pots, etc.
7	Will the state allow clear, security friendly electronic cigarettes to replace tobacco cigarettes as a healthier alternative?	Section 1.3.1	No.

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8	As with the inception of the contract, item prices will be the increased to the inmates, would the DOCCS consider increasing the current \$55 spending limit.	Section 1.3.1	Not at this time.
10	Are the MP3 players and the song purchases included in the \$55 spending limit?	Section 1.3.1	No.
13	In Section 1.3.1 Commissary Overview, in this Section it says that "Currently each facility must establish competitively bid bidder contracts...for the items offered for sale in the commissary." Why would the DOCCS want to replace this competitive process with one homogeneous supplier? In a September twenty fourth 2010 Skype address to a symposium at the Batavia Holiday Inn, Commissioner Brian Fisher said "We can no longer be held hostage by local commissary vendors who promise deliveries and then don't show up persistently throughout the RFP. How does the DOCCS reconcile this animosity with their Section 5.7 statement; "NYS DOCCS places significant value on job creation and the establishment of warehouse facilities within the State of New York"? Why does the DOCCS think that a non-local business would be more reliable? Why would the DOCCS want to lock into a solution, which it hasn't tested, for ten years? Generalizing the poor performance of a handful of vendors to encompass all NYS commissary vendors' shows a blatant disregard for NYS businesses who do perform well and consistently.	Section 1.3.1 Section 5.7	DOCCS believes the RFP addresses these questions accurately. No additional clarification is necessary.

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15	In Part one, Section (n) it states that “the State expects bidders/proposers to provide maximum assistance to New York business in their use of the contract. The potential participation by all kinds of New York business will deliver great value to the State and its taxpayers.” If participation from NYS businesses is desirable, then why doesn’t the State break this contract into separate parts that could be filled by the existing NYS businesses that currently compete with each other to provide competitive services, as opposed to locking into one supplier and technological solution for the next ten years? In Section 1.4, it states that bidder must have at least one warehouse operational in the state within nine months of receiving the contract. If warehouse locations within NYS were such an important priority to the DOCCS then why wouldn’t they place a high point value on in-state locations in the scoring part of the bid process?	Part one, Section (n) Section 1.4	DOCCS believes the RFP addresses these questions accurately. No additional clarification is necessary.
17	Will inmate workstations (kiosks) be located centrally within each institution?	Section 2.1.1	No.
18	Does DOCCS have a specific target for inmate to inmate workstation ratio?	Section 2.1.1	DOCCS recommends at minimum, 1 Kiosk per 60 inmates.
27	The successful vendor is responsible for the cost of damaged equipment regardless of how it’s damaged. The successful vendor will replace the kiosks; however can the successful vendor recover funds through a recoverable to the inmate who intentionally damaged the kiosks?	Section 2.5.2	DOCCS requirements are outlined in the RFP.
28	In Section 2.52 aka Damage, the DOCCS is absolved of all possible liability towards damage done to machines installed in their facilities by contractors. Why isn’t the DOCCS responsible for equipment placed in their facilities?	Section 2.5.2	Please refer to Question 27 response.
31	Section 2.6.3 states “the bidder shall be responsible for performing site visits at each of the DOCCS facilities and identifying all installation and facility issues that could affect implementation.” Does the Department plan to schedule site visits for respondents or will the responding vendors need to schedule their own visits?	Section 2.6.3	Site visits are to be performed as part to the implementation phase. Once the bidder is selected, DOCCS will coordinate the site visit schedule centrally.

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32	On page 32 of the DOCCS issued RFP, section 2.6.3 Site Survey, it reads 'The bidder shall be responsible for performing site surveys at each of the DOCCS' facilities and identifying all installation and facility issues that could affect implementation.' When does the DOCCS wish the vendors to do these site surveys? Should occur after the Prebid conference? Should we coordinate on our own with John Behrle or does the DOCCS anticipate scheduling group site visits to each of the 58 correctional facilities?	Section 2.6.3, page 32	See reply to #31, above.
42	Are the sales figures provided in the RFP net sales or gross sales figures?	Section 5.3	No difference between Net Sales of Gross Sales figures.
43	What percentages of the total sales numbers provided in the RFP are from tobacco related sales? Please provide sales numbers by item description specifically; examples: cigars, cigarettes, rolling papers, loose tobacco, etc.	Section 5.3	DOCCS does not this information readily available.
44	Is there a dollar figure (spending limit) on tobacco products or quantity restrictions only?	Section 5.3	DOCCS imposes "quantity" restrictions.
45	Is the spending limit the same across all facilities?	Section 5.3	Yes.
46	Is there a combined category spending limit for tobacco products?	Section 5.3	Tobacco products are limited by volume, not spending.
47	Will the DOCCS permit the benefit of commissary to the inmate weekly in place of bi-weekly?	Section 5.3, 5.6	No.
49	Does the DOCCS currently have freezers on-site at the facilities for the sale of ice cream? If so, who is responsible for supplying them?	Section 5.4.1	Per the RFP, DOCCS is requesting the bidders to provide solutions and options. DOCCS expects the bidders to provide freezers.
50	Please provide the number of ice cream eaches/units sold by month and gross sales by month for the last 12 months.	Section 5.4.1	DOCCS does not this information readily available.

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53	Is DOCCS open to the option of implementing the Commissary and Banking phases together, if the vendor can show that they have both systems available?	Section 5.5 & 6.4.1	DOCCS is open to the option of implementing the Commissary and Banking phases together if a vendor has both systems available and can prove/demonstrate their ability to successfully implement both without negatively impacting the inmates or DOCCS.
56	Section 5.6 references the frequency of inmate ordering. However, we are unclear of what is meant by the statement "a portion of the population at each facility will submit finalized commissary orders each day during a given two-week period or buy cycle." Does this mean that inmates can order each day, but will only receive deliveries every two weeks? Will the Department entertain weekly deliveries to each facility?	Section 5.6	In order to facilitate a process that will not impact facility operations it is anticipated that inmates will be designated to submit their commissary orders on a specific day during the two week cycle. The Department will entertain weekly deliveries as well as more frequent deliveries if the volume warrants it, however, the maximum delivery schedule is 2 weeks.
57	Section 5.6 Commissary Ordering and Fulfillment allows for respondents to propose a commissary ordering method for inmates at each institution. If a respondent plans to propose kiosk technology that provides commissary ordering functionality, how frequently will inmates have access to the technology to place orders?	Section 5.6	Once per two week buy cycle.
58	With regard to Section 5.6, Commissary Ordering and Fulfillment, would the Department entertain on-site stores at each facility where inmates could place and receive orders? This method of operation has a tremendous effect on inmate morale and simplifies the delivery process.	Section 5.6	No.
59	If the DOCCS decides to implement this functionality would the current policies of Directive 4911 be amended to terminate the policy allowing packages to be shipped directly from Family Members and Friends and / or any vendor(s), (other than the awarded vendor selected by DOCCS via this RFP) into NY DOCCS correctional facilities?	Section 5.6.1	A decision has not been made as to discontinuing our current practices as outlined in Direction 4911.
60	If the DOCCS decides to implement this functionality would DOCCS consider allowing additional items that are not listed on Attachment H-2?	Section 5.6.1	Yes.

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62	What are the current total sales on current package programs?	Section 5.6.1	DOCCS does not have a package program currently.
63	Upon the implementation of a friends and family package program, will the state eliminate outside vendor ordering as well as family members from sending in packages?	Section 5.6.1	A decision has not been made as to discontinuing our current practices as outlined in Direction 4911.
65	Will the DOCCS consider a separate menu of approved items separate from the commissary menu for a friends and family package program?	Section 5.6.1	Yes.
66	Is the DOCCS requesting a commission back to the DOCCS on secure package program sales?	Section 5.6.1	DOCCS will not be taking any commissions.
67	Section 5.6.1, Orders Generated by Non-Offenders, mentions the Departments' desire to have an e-commerce platform that will allow friends and families to order commissary products for inmate relatives. Is it the desire of the Department that all of the items (excluding ice cream) be available on the e-commerce site for purchase by friends and family? Industry data shows that families are more inclined to support inmate relatives by ordering pre-determined packages as the ordering process is much faster. Will the Department consider a reduced number of items or gift packages?	Section 5.6.1	DOCCS desire is to have a robust system for friends and families to order from, we are not opposed to a solution that also offers pre-determined packages.

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68	<p>RFP Main Document part 5.7 page 53 fourth paragraph instructs that, "The bidder's solution shall take into account the current logistical constraints of each correctional facility." In order to meet this requirement it would help to know:</p> <ul style="list-style-type: none"> · How many of the NYSDOCCS facilities have a loading dock and at how many will the delivery truck need to have a lift-gate? · How many of the 58 facilities have forklifts or powered pallet jacks? · For the facilities listed on Attachment F that say, "Considered one commissary operation," or, "Run by (another facility)," will the incoming vendor need to begin making deliveries directly to these facilities? · Can Sing Sing and Green Haven receive a 24-foot box truck inside the perimeter? Are there any facilities that cannot process a truck this large at the gate? <ul style="list-style-type: none"> i. Does "Straight truck only," on Attachment F mean that a 24-foot box truck will have no trouble? 	<p>Section 5.7, page 53 Attachment F</p>	<hr/> <p>There are 35 facilities that have a loading dock. 15 facilities will require a lift-gate.</p> <hr/> <p>Four facilities have no separate commissary (Lincoln, Ulster, Rochester, & Wallkill). Total number of facilities with commissaries is 50. There are 14 facilities that have either a forklift or a powered pallet jack.</p> <hr/> <p>No.</p> <hr/> <p>Yes, Sing Sing and Green Haven Correctional Facility can receive a 24-foot box truck inside the perimeter. There are no facilities that cannot process a truck this large.</p> <hr/> <p>Yes.</p>
69	<p>Please clarify the desired turnaround time for an order to be delivered to a facility after the order processed?</p>	<p>Section 5.7</p>	<p>DOCCS expects orders to be turned around within 14 calendar days. Shorter turnaround times will be allowed.</p>
70	<p>Will the orders be stored within a secure area of the facility for the 48 hours, until the time of delivery?</p>	<p>Section 5.7</p>	<p>Yes.</p>
71	<p>Will DOCCS staff be responsible for filling ice cream orders?</p>	<p>Section 5.7</p>	<p>Per the RFP, DOCCS is requesting the bidders to provide solutions and options. DOCCS expects the bidders to provide freezers.</p>

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#	Question Received	RFP Reference	DOCCS Response
73	<p>In Section 5.7 aka Commissary Warehouse, Packaging and Delivery, it say that “NYS DOCCS places significant value on job creation and the establishment of warehouse facilities within the state of New York’. If this statement is true, then why isn’t the NYS DOCCS concerned about the number of jobs and companies that will be destroyed by the consolidation of a traditionally competitive in state system by a large out of state company? Furthermore, why does the State place a higher significance on establishing new warehouses then on maintaining existing ones? By this consolidation process, NYS DOCCS is completely limiting competition and awarding all purchasing to one vendor and one vendor alone, thereby eliminating all business previously given to an assortment of existing businesses. The RFP states”... with additional points awarded to proposals that provide such economic benefits within New York State...” indicating that proposals that provide economic benefits will be given additional points, indicating that those vendors who <u>create</u> jobs will gain additional points. By completely limiting competition and eliminating open market bidding, what will happen to those vendors who lose the bid? Who lose their jobs? Whose warehouses will close? What will happen to all the employees of the existing companies who <u>currently</u> service New York State?</p>	Section 5.7	DOCCS believes the RFP addresses these questions accurately. No additional clarification is necessary.
79	<p>States “there will be no transaction fees associated with the use of the debit cards...”. Can the DOCCS please clarify what is considered a “transaction fee”?</p>	Section 6.4.1.4.2	Section 6.4.1.4.2 is clear relative to the requirement that there be no transaction fees associated with the use of debit cards. This section refers to inmates on work release or furlough status.
82	<p>Would the DOCCS discontinue the practice of receiving funds within the correctional facility upon the implementation of the bidder’s solution for internet, phone and walk-in cash transactions?</p>	Section 6.4.2.3	No.
84	<p>Will DOCCS allow for the implementation of “Funds Not Received Within a Correction Facility”, in the initial phase of the Trust Fund Accounting system? If not, what is the soonest this service could be implemented?</p>	Section 6.4.2.4	No, within three (3) years as stated in the RFP.
99	<p>Does the DOCCS foresee any population decrease?</p>	Attachment C	No. At this time DOCCS anticipates the population to remain stable.

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#	Question Received	RFP Reference	DOCCS Response
101	Attachment E Technical Specifications as Related to MP3 Devices – Will DOCCS be open to alternative methods of music search and delivery provided the model is proven and can achieve the same results?	Attachment E	No.
107	Does DOCCS currently accept “deposits” via credit card? If yes, how many deposits are made via credit card on average each month?	Attachment G	No.
118	Are you open to other processes for the bottle refunds that would make it less labor intensive?	Attachment I	Yes
120	Sample Worksheet W-3, Item #1. If varying transaction fees apply to post-release debit/credit card use, can the vendor provide a list of fees or is the DOCCS only looking for one transaction fee for any card transaction (i.e. ATM withdrawal v. balance inquiry fee)?	Sample Worksheet W-3 Item #1	DOCCS believes the RFP section 1.4.2 addresses this question accurately. No additional clarification is necessary.
121	Sample Worksheet W-3, Item #2a only allows for entry of one transaction fee for remote deposits. To accommodate increased costs for credit/debit card transactions, a sliding scale fee structure has been industry standard for remote deposits. For example, \$X.XX for payments up to \$20.00, \$X.XX for payments between \$20.01-\$100.00, etc., \$X.XX for payments between \$100.01-\$200.00 and \$X.XX for payments between \$200.01-\$300.00. Would DOCCS consider changing the fee structure? Also, can the Bidder provide additional fee entries for deposits collected through sources such as walk-in cash locations?	Sample Worksheet W-3 Item #2a	The RFP requires that only one transaction fee for deposits.
129	Does the Department currently provide indigent kits for those deemed indigent? If not, would the Department be interested in respondents including this option in their response to the solicitation?		No.
134	How many trust fund users are at each DOCCS facility?		Varies between 2 and 5. Some facilities have 2, some up to 5.
135	Does the DOCCS currently have a web service that can be reviewed for financial estimates?		No.

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148	At how many, if any, of the 58 facilities is there a freezer or cooler where ice cream may be held? Are these the property of the NYSDOCCS or of any current supplier(s)?	Section 5.4.1	Ice Cream is currently stored in freezers at each of our facilities with commissaries. Some freezers are state owned and some are provided by the vendor. No existing equipment within DOCCS facilities will be available for use. Per section 5.4.1 of the RFP, all equipment and maintenance needed for ice cream is the responsibility of the bidder.
149	When we emailed the email address listed in the proposal's preface (RFP2013-004.commissarybanking@doccs.ny.gov) in an attempt to procure the fill-able pdfs along with other information, we didn't receive a response. We let a few days elapse and emailed a second time and again no response. We called and after leaving a message, we received an email response letting us know that the email had not been functioning until that day, which was the second week of March. Given the incredibly time sensitive nature of this RFP, and the limited avenues of allowed communication with the DOCCS, how does this lack of communication not constitute willful ignorance or blatant incompetence? How come the DOCCS is able to give its bidders such limited and strictly enforced time windows for communication without applying the same standards to its own avenues of communication? Does that not seem a contradiction in the DOCCS willingness to openly communicate with potential vendors if they did not even activate the email address until mid-March?		DOCCS was experiencing technical difficulties due to a migration to a new email system. The transition is complete and the issue remedied.
152	Is it an accepted practice by the State to accept equipment or upfront payment as a way of enhancing a bidder's procurement of the proposal by making said equipment or payment a "value added" item?		No.
16	How many staff workstations will be required by DOCCS per institution?	Section 2.1.1	DOCCS will provide staff workstations, if necessary. It is anticipated that any vendor solution will be accessible to authorized users from existing workstations.
19	Will the central servers need to be housed in DOC facilities?	Section 2.1.1	No, central servers will NOT be housed in DOCCS facilities.

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#	Question Received	RFP Reference	DOCCS Response
20	This section states that DOCCS will provide standard power, please confirm that power will be provided for servers, switches and inmate workstations (kiosks); and that this power will be sufficient to run this equipment.	Section 2.1.3	DOCCS will provide wiring and power inside each facility. Vendors will not be permitted to place servers in any facility. See RFP Addendum for further clarification regarding wiring.
21	When the DOCCS says it is responsible for the LAN, does that include all T-1 lines, fiber, and conduits to the kiosks? If not, would the successful vendor be allowed to perform site visits to each facility? Will this include network switches and cabling for staff workstations and inmate workstations? Will LAN wiring be copper, fiber or mixed?	Section 2.1.5	Vendor is responsible for the WAN to the facility, DOCCS will provide facility LAN wiring and Power to any proposed devices. LAN wiring will be a combination of fiber and copper. See RFP Addendum for further clarification regarding wiring.
22	What is the minimum time that the backup UPS is required to maintain power for the system. Does DOCCS expect vendor to provide UPS power for network switches, staff workstations and inmate workstations?	Section 2.2.2	Time needs to be allotted for graceful power down of equipment. Yes, DOCCS expects UPS for all critical equipment proposed.
23	Will a software setting that allows central office to remotely disable functionality of all workstations in a given facility(s) or across entire agency suffice?	Section 2.2.3.1	Yes, but DOCCS also requires that facilities will also have the ability to shut down the systems.
24	On page 28 of the DOCCS issued RFP, section 2.2.3.1 Emergency Shut Down, it reads 'The system shall provide for the emergency shutdown of all devices in a facility or portion thereof at each facility. If you can provide a master control in Central Office that cannot be over-ridden at a facility, please indicate as such.' Is the DOCCS looking for a physical 'kill switch' or can this emergency shutdown be accomplished electronically within the system with the proper rights?	Section 2.2.3.1, page 28	See reply to #23.
25	Please clarify requirement 2.2.3.2 POS in RFP Main Document (page 28) that any Point of Sale device shall be provided with the ability to be remotely disconnected. Does this mean that the Central Office should have the ability to shut off commissary store equipment from a central location? OR that MP3 players should have the ability to be remotely deactivated or restricted?	Section 2.2.3.2, page 28	Yes, Central Office should have the ability to shut off commissary equipment from a central location. This section does not relate to MP3 players.
26	Will DOCCS be responsible for maintenance of all LAN wiring? Is DOCCS responsible for maintenance of all equipment provided by DOCCS?	Section 2.5	Yes. Yes.

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#	Question Received	RFP Reference	DOCCS Response
29	Will remote monitoring reports, specifically designed to capture equipment's health status and statistics, be an acceptable alternative to meeting the quarterly inspection requirements?	Section 2.5.6	No.
34	Section 2.7, Data Exchange – will DOCCS be providing one file containing all inmate information or will each facility be transmitting a file of just its own inmates? When the vendor transmits payment data back to DOCCS are they expected to send one file to a central location or will they need to send each individual facility its own file? A centralized data exchange is preferred.	Section 2.7	Centralized data exchange is expected.
35	Does DOCCS mandate use of a specific antivirus tool, or will DOCCS accept a nationally recognized antivirus tool used by the vendor?	Section 2.9.1	No.
36	Is Microsoft Windows 2012R2 an approved operating system?	Section 2.9.1	Not DOCCS concern.
37	Will DOCCS perform vulnerability scanning on the new system, or will DOCCS accept reports from vendor's scanning tool?	Section 2.9.1	No, the solution will not be on the DOCCS' network, so scanning is a vendor responsibility.
38	Will remote access for support/monitoring be allowed from the bidders internal network?	Section 2.9.1	Yes, the solution is to be on the vendor's network.
39	What restrictions exist for this remote access?	Section 2.9.1	Strong authentication – two part minimum requirement.
40	Will an SMTP relay be allowed to send alerts/notifications of system performance to bidders email system?	Section 2.9.1	Yes, the solution will be on the vendor's network.
48	On page 45-46 of the DOCCS issued RFP, section 5.4 Account Activity, the DOCCS provides a chart showing the historical annual sales and statewide population figures from 2001-2012. Would the DOCCS please provide these statistics for 2012-2013 at this time?	Section 5.4, page 45-46	2013 Average Statewide Population – 54, 037.
51	What kind of interface would be required for the commissary to interface with ICAS?	Section 5.5	Web Services are preferred; SFTP will be considered
52	Would DOCCS support a web service-based interface; what rules must the interface follow.	Section 5.5	DOCCS prefers data exchanges via web services.

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#	Question Received	RFP Reference	DOCCS Response
55	Please confirm that classification of the offender groups is based on housing unit.	Section 5.6	Classification is not based solely upon housing location.
72	On page 53 of the DOCCS issued RFP, section 5.7 Commissary Warehouse, Packaging and Delivery, it reads 'DOCCS shall provide offender housing information to the bidder through an ongoing basis...' Will the DOCCS please elaborate on how this will be achieved and how often this data feed will occur?	Section 5.7, page 53	DOCCS will provide offender housing information via web service data exchanges. Frequency will be determined during implementation planning.
75	How many offenders would be released per month with a debit card?	Section 6.4.1.1	Approximately 2,100 releasees per month would require a debit card.
78	How many offenders are currently participating in work release or furlough programs? How many debit cards does the DOCCS anticipate this would require each month?	Section 6.4.1.2	Approximately 250 inmates are currently participating in work release.
88	<p>Regarding the RFP Main Document's 7.1 on page 63, Union Supply manages commissaries across the country and works with most of the software providers in this business. There are applications and support teams that meet the NYSDOCCS's specifications and that have proven themselves able to service a client with 35,000+ inmates and 40+ facilities; or that successfully serve 6 clients with 3,000 inmates and 5 facilities each; but there was only one software provider whose client list specifically included 3 clients with 5,000 inmates and 10 facilities each. That provider was purchased by one of the bidders for this contract and the qualifying software is not available, commercially or otherwise, to any other potential bidder.</p> <p>· Will the NYSDOCCS permit some flexibility in how references for the proposed software meet the requirement that references demonstrate its ability to serve the NYSDOCCS? If not, this solicitation process will not offer the NYSDOCCS the benefits of competitive bidding.</p>	Section 7.1, page 63	Yes – DOCCS will accept references and experience from either the prime or sub contractors as meeting the requirements.
100	Please supply a housing unit breakdown of each facility.	Attachment C	See updated Attachment C.

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#	Question Received	RFP Reference	DOCCS Response
132	Is offender information in the mainframe on one state-wide database or does each facility have a local database of housed offenders?		Statewide database.
133	Can the awarded contractor's application be installed on the facility's current hardware?		No. Software will be on the vendor's systems.
138	What current/historical data will need to be migrated from the various existing Trust Fund Accounting Systems to the system proposed? Does transactional data need converted or just beginning balances? Do we need to convert General Ledger Balances as well?		Account balance information on all active accounts will be migrated along with some historical information on collection of encumbrances that are in the process of being collected. Historical data will remain in the legacy Inmate Commissary Accounting System.
139	For each system where Trust Fund Accounting System data needs to be migrated to the system proposed, does NYDOC have staff knowledgeable on the databases of those systems?		Yes.
140	Will NYDOC staff be able to extract current/historical Trust Fund Accounting System data into a mutually agreed upon intermediate format?		Yes
141	Are all of the NYDOC facilities connected by a wide-area network? If not, which are not centrally connected?		Yes, but vendors must provide their own WAN.
142	Can NYDOC provide computer network diagrams for the housing units of each facility? Please indicate which housing units/facility do not have computer networks, if any.		No, housing units are not currently wired for this purpose, and DOCCS will provide wiring as might be required based upon the vendor's solution.
143	The DOCCS is seeking integration between the current legacy Inmate Commissary Accounting System (ICAS) and the proposed Accounting System being offered per this RFP. Can the DOCCS please elaborate to the level of integration desired and possibly which data fields are of interest? Please define the functionality that is to be accomplished through this integration. Does the DOCCS wish to have the historical data from the legacy ICAS converted over into the new Accounting system or does the DOCCS wish to start with a blank slate with the new system? Who will be the primary contact from DOCCS related to the legacy ICAS?		Same as question #138; a DOCCS subject matter expert will be named as the point of contact at the time of implementation.

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#	Question Received	RFP Reference	DOCCS Response
14	Section 1.3.2 indicates that the inmate trust fund balance has an approximate balance of \$15 million. What is the average account balance per inmate, excluding the indigent population?	Section 1.3.2	\$272.33
80	How many transactions does the DOCCS currently receive each month within the correctional facilities?	Section 6.4.1.2	See Attached "Transaction Count Report"
85	How does DOCCS inform the system of the total interest to be disbursed among offenders?	Section 6.4.2.6	See Attached "Interest Distribution and Posting"
86	What are the DOCCS' rules that system must follow to compute each individual offender's share of interest.	Section 6.4.2.6	See Attached "Interest Distribution and Posting"
87	Does the offender get the interest income only if he is currently "active" at the particular site when the interest is posted? If not, what are the rules system must follow to prorating interest earned.	Section 6.4.2.6	See Attached "Interest Distribution and Posting"
104	This attachment lists the "Avg # Deposits Month" and "Avg # of Disbursements Month", what constitutes a "deposit"?	Attachment G	Any cash, check, money order or ACH payroll deposit credited to the inmate trust fund account.
105	This attachment lists the "Avg # Deposits Month" and "Avg # of Disbursements Month", what constitutes a "disbursement"?	Attachment G	Any debit transaction to the inmate trust fund account.
106	How are "deposits" made today?	Attachment G	With the exception of ACH payroll deposits, all deposits are paper deposits.
108	Does DOCCS currently accept "deposits" via cash at the individual facilities? If so, how many deposits are made via cash on average each month?	Attachment G	DOCCS does not track this information.
109	Does DOCCS currently accept "deposits" via money orders? If yes, how many deposits are made via money order each month?	Attachment G	DOCCS does not track this information.
110	Does the 2,359 total number of average deposits per month, provided in Attachment G, represent all deposits made to inmate trust fund accounts?	Attachment G	Yes
127	Would the Department please share the participation rates by location?		See Attached "Participation Rates"

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130	Would the Department please share how many transactions are generated on the inmates' accounts per facility?		See Attached "Transaction Count Report"
144	<p>How many external deposits (not inmate payroll) were made to inmate trust accounts over the last six months?</p> <p>· Of these how many were made through:</p> <p>i. lobby and visiting area kiosks?</p> <p>ii. Through Western Union?</p> <p>iii. Through the web?</p> <p>iv. By Mail?</p> <p>v. By Phone?</p> <p>· Of these how many were between \$0-\$20? \$20-\$50? \$50-\$100? \$100-\$500?</p> <p>· How many depositors paid by credit card? Debit Card? Personal check? Certified check? Money Order? Cash? Western Union?</p>		<p>See Attached "Listing of Inmate Deposits"</p> <p>i. None</p> <p>ii. None</p> <p>iii. None</p> <p>iv. See Attached "Listing of Inmate Deposits"</p> <p>v. None</p> <p>- See Attached "Listing of Inmate Deposits"</p> <p>- No depositors pay by credit card, debit card or Western Union. We do not track the number of checks and money orders.</p>
145	What is the average balance in the inmate trust accounts?		\$272.33
146	How many inmates are indigent or have negative balances in their trust account in a given month?		DOCCS does not track this type of information
61	What is the total number of packages received per facility per year?	Section 5.6.1	This number varies by facility and inmate population. Working on an average per facility
64	Will the friends and family program as suggested in the RFP in this section have the same restrictions that are currently in place at the facilities (two food packages per calendar year, 20 pounds per package for TV facilities and two food packages per month, 35 pounds per package for the remaining facilities)	Section 5.6.1	Yes

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#	Question Received	RFP Reference	DOCCS Response
98	<p>Attachment A-5, Bidder's Proposed Staff and Client Forms, seems to instruct that, "Bidders are required to complete a set of forms for each proposed staff person that is to work on this contract." Since all proposers are to open a warehouse in New York within 6-9 months, we will all be proposing to have quite large teams working on this contract— many of whom will necessarily be new hires. Any proposal that includes kiosks will also need to have a maintenance technician on-call within 3 hours of each of the 58 DOCCS facilities. These requirements combined imply that any realistic project team for this job will be 60-100 people.</p> <ul style="list-style-type: none"> · Will the DOCCS consider requiring Attachment A-5 be completed only for the managerial positions or for those who will have direct responsibility to the DOCCS for delivery of the proposed services? 	Attachment A-5	Attachment A-5 is required
114	<p>Can samples be sent of various items for preapproval of regional brands? Certain brands required by this RFP such as: Cleartech and Westbend will not sell to all commissary vendors. Please see the attached letter stating this fact.</p>	Attachment H-3	Yes - they must meet the same requirements as the Cleartech or Westbend brands
126	<p>Is there any facility that does not allow for the purchases of items that may need to be reheated?</p>		Not at this time
147	<p>What is the DOCCS's policy on property and food items sent to inmates by family members outside the prisons?</p> <ul style="list-style-type: none"> · Do these items have to conform to the approved brands and UPC codes (for instance are only West Bend model #5364R Hot Pots permitted)? · Do spending or property-possession restrictions apply to these items? · Who enters these property items into each inmate's property file? And will weekly commissary orders 		<p>Yes</p> <p>Yes</p> <p>Package room staff</p>
30	<p>Will institution diagrams/plans be available prior to site visit for planning purposes?</p>	Section 2.6.3	DOCCS will be responsible for all power and wiring inside its facilities. No facility diagrams will be provided to vendors.

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116	Is the information submitted in form H-3 public information? Will it be accessible to all vendors? How do we know the information we submit will not be compromised?	Form H-3	DOCCS will provide all bidders who attended the Pre-Bid Conference with a final list, however, DOCCS will NOT provide, distribute or publish each individual Bidder's Form H-3.
122	As we will not receive the encrypted Diskette containing Worksheets W-1, W-2 and W-3, will DOCCS allow for a second round of questions after the release of the encrypted diskette in case clarification is needed regarding these documents?	Sample Worksheets W-1, W-2, W-3	We will allow the vendors to ask questions specific to the worksheets. Questions must be submitted by 4 p.m. Monday June 16, 2014.
124	Will there be an opportunity to ask any additional questions in the upcoming months?		No; except see response to question 137.
137	Will DOCCS allow vendors to ask another round of questions following the conference?		Yes; upon release of this response document, vendors will have until 4 p.m., Monday, June 16, 2014 to submit a request for further clarification of any question answered in this document or regarding the addendum.
150	Can we conclude that the language and specifications set forth in this RFP have originated with the department of corrections and its employees only? Have the DOCCS executive team or its employees met with any outside agency or entity within the last 5 years to receive consultation or guidance in setting forth the parameters contained in this RFP? Is this information public? Where can it be found? May we have a calendar of events that has taken place or will take place between potential vendors and the DOCCS executive team? Who evaluates all the information collected by vendor submissions to this RFP and what is their expertise and experience? What is their background?		DOCCS employees drafted the RFP. A committee of DOCCS employees will be selected in the future to review the proposals that are submitted. The committee members will be selected based upon their skills and expertise in the area that they work in.