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NEW YORK STATE
DEPARTMENT OF PAROLE
SUPERVISION FEE PROGRAM
LOCKBOX SERVICES
BIDDERS' CONFERENCE

DATE: Tuesday, March 27, 2007
TIME: 1:30 p.m.
PLACE: New York State Division of Parole
97 Central Avenue
Administration Conference Room
3rd Floor
Albany, New York

Reported By: Brenda L. Bigelow

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COPY

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tive Assistant
Parole Operations
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24 Lawrence Hammond, Director
Information Technology
Garfield Zeitler, Deputy
Director
Parole Field Operations
25 EXHIBITS: (None.)

1 (On the record at 1:46 p.m.)

2 MR. NESICH: Let me welcome all of
3 you. Some of you who maybe have been here before,
4 the building I'm sure looks very different.

5 This room here, is actually going to
6 be a -- this is the Administration Conference Room.
7 And it's actually going to be dedicated to a fellow
8 who was the Director of Administration, named Marty
9 Kelly, years ago.

10 That's why we have this display.
11 There actually will be things in here, other than
12 pictures of us.

13 STENOGRAPHER: Are we on the record?

14 MR. NESICH: What's that?

15 STENOGRAPHER: Did you want this on
16 the record?

17 MR. NESICH: Oh sure, sure. It
18 makes it fun to read later on.

19 STENOGRAPHER: It does.

20 (Laughter)

21 MR. NESICH: So we're delighted to
22 have everyone here. This Supervision Fee Program
23 has been going on since 1992. So we have fifteen
24 years of experience with the program.

25 It has taken on various different

1 implementation perspectives over the years. Right
2 now, it's at a high priority in the Division of
3 Parole.

4 And the RFP perhaps even looks dif-
5 ferently than it did, you know, five or ten years
6 ago, for any of you who've had some familiarity
7 with the program.

8 Why don't we go around the room, for
9 which we'll do some introductions -- who we are.
10 Perhaps we'll start with Mr. Zeitler.

11 MR. ZEITLER: Sure. Garfield
12 Zeitler, Deputy Director of Parole Field Opera-
13 tions.

14 MR. HAMMOND: I'm Larry Hammond.
15 I'm Director of Information Technology.

16 MS. HAMLIN: Sandy Hamlin, Adminis-
17 trative Assistant in Parole Operations.

18 MS. FARLEY: Barbara Farley, Con-
19 tract Management.

20 MS. PERROTTY: Melissa Perrotty,
21 Budget Office.

22 MS. STEINHILBER: Amber Steinhilber,
23 Budget Office.

24 MR. NESICH: Jeff Nesich, Director
25 of Administration.

1 MR. BIGGANE: Andy Biggane, Treasury
2 Management with KeyBank.

3 MS. GALLO: Elena Gallo, Treasury
4 Services with Wachovia Bank.

5 MR. HART: Jerry Hart from The
6 Preferred Group.

7 MR. COLLINS: Paul Collins, Chief
8 Operating Officer for The Preferred Group.

9 MR. JONAS: David Jonas, Chief
10 Operating Officer, Klik Technologies.

11 MR. CARPINELLO: Bob Carpinello,
12 Lockbox, KeyBank.

13 MS. BOHM: Christine Bohm, Lockbox
14 Supervisor, KeyBank.

15 MR. NESICH: Excellent.

16 Let me tell you a little bit about
17 how we're organized, and that will give you a sense
18 of how the conference will go.

19 We have our Contract Management Unit
20 in Parole, which Barbara Farley is in charge of.
21 And this unit, amongst other things, provides the
22 guidance and the oversight for the whole procure-
23 ment process. All the RFPs that we do, invitations
24 for bid, procurement strategies, things of that
25 sort, are supervised by Barbara's unit. Her dep-

1 uty, Marla Henriquez, is not here today.

2 So they are actually going to govern
3 the process, to make sure that we don't break any
4 rules, and that we do everything appropriately.
5 Because procurement in New York State, as some of
6 you probably know, has gotten extremely complicat-
7 ed -- vendor responsibility, for example, and
8 things like that. We have to determine, you know,
9 who is responsible, and who is not, and that's
10 sometimes difficult to do.

11 The McBride Principles -- you know,
12 if you have a business in Northern Ireland, please
13 tell us. If you do have business in Northern
14 Ireland, I hope you're not discriminating, because
15 those are things that we have to adhere to.

16 And the rules are very specific with
17 the Comptroller's Office now. They've really
18 tightened up a lot. So our Contract Unit makes
19 sure that we do everything appropriately, and that
20 we don't make an award, and go down to award the
21 contract, and have it rejected because we've made a
22 mistake.

23 That actually happens in the state
24 more than people would like to admit. But it has
25 virtually never happened in the Division of Parole,

1 because we take the process very seriously.

2 We have our Budget Unit, represented
3 by Melissa Perrotty, who is the Budget Director for
4 the agency. And Amber, who is her -- works in her
5 unit. They are going to score the proposals. It's
6 a very objective scoring process, and we'll talk a
7 little bit more about that as we get into the eval-
8 uation process.

9 Garfield and Sandy work in the
10 Operations Unit. They are the users, essentially.
11 This is a program that Operations administers, and
12 it has had a great deal of success in terms of
13 generating revenues for the state the last couple
14 of years. So they're the primary users of the
15 service.

16 And Larry Hammond is, of course, the
17 Director of our IT Operations. And as you know,
18 there's a big IT component -- there's a large
19 information technology component here.

20 When this program was started back
21 in 1992, there was a lot of discussion about how do
22 we do this. And the state decided that we don't
23 want to set up our own lockbox establishment, with
24 our own people handling money, and finance, and
25 those things.

1 We could have done that. We could
2 have had an army of clerks in the Finance Office to
3 do this. We decided to basically work with people
4 in the field who know this better than we do.

5 And, clearly, banking institutions
6 are certainly better than we are -- please tell me
7 this is true -- in handling money, and accounting
8 for every dollar, and all those things, as well as
9 the provision of information relative to those
10 financial transactions, and things like that.

11 And the information is very impor-
12 tant because Parole Officers and the Parole Board
13 establishes certain requirements of parolees that
14 they have to adhere to. And right now, there's a
15 state statute which requires the Division of Parole
16 to charge a fee to parolees who are determined to
17 be able to pay a fee.

18 So that's a program that we have to
19 administer. So it's important that we have a pro-
20 gram that not only deposits the funding, makes it
21 available on a daily basis to the State Comptrol-
22 ler's Office, but also provides us the information
23 on what's actually going on in terms of who is
24 paying, and how much they paid, and having that in
25 as much, you know, realtime as possible, so the

1 Parole Officers can react to somebody who is not
2 doing something that they're supposed to do.

3 So that's why it's a statute. It's
4 not just something that we do, you know, in terms
5 of parole specific.

6 This RFP -- and it has evolved, as I
7 said over time, and it represents what we have
8 learned about the program, and what we've learned
9 about our ability to administer the program. So a
10 lot of the requirements and things like that, that
11 you see in there, are there reflecting those exper-
12 iences that we've had.

13 The purpose of a bidders' confer-
14 ence, at least in terms of the way we do it in the
15 state -- and I've got to be careful with bankers,
16 because you'll say, We do bidders' conferences all
17 the time. You guys don't know what you're talking
18 about.

19 But the way we do them in the state
20 is, it's to make sure that we explain to you exact-
21 ly what we want, not necessarily why we want it.
22 That's not the forum for this. So we don't defend
23 what we're asking for. We just make sure you
24 understand what we're asking for, so that you can
25 respond.

1 We -- going back ten or twelve
2 years, we had some bidders' conferences where
3 people were sort of challenging what we were asking
4 for. It didn't get -- you know, it wasn't a very
5 constructive meeting. So we don't do that anymore.

6 But, we're very clear that you have
7 to understand what we're looking for, so you can
8 respond. That's why we have a formal question-and-
9 answer period, in terms of you can submit your
10 questions in writing.

11 I'd like to call everyone's atten-
12 tion to Mr. Terrence Tracy, our esteemed counsel.

13 MR. TRACY: Good afternoon, every-
14 one. I apologize for being late.

15 MR. NESICH: One thing I think
16 you're noticing, is that in Parole we do things in
17 a very collaborative way. We have all the differ-
18 ent units here, as you notice.

19 These people you see sitting right
20 here, we do a lot of stuff together in terms of
21 procurement, and issues like that. But it's impor-
22 tant that we have, you know, the full input of
23 everybody in terms of what their turf areas are.
24 So we want to make sure you understand.

25 And then we have the question-and-

1 answer period. You will submit your questions in
2 writing, we will answer you in writing, and then
3 all of those questions will then be available --
4 the questions, and then the answers, with who asked
5 them being stricken from the record -- but you'll
6 see the questions and the answers. This way, you
7 get the best information possible to respond to the
8 RFP.

9 The process that we follow, the
10 evaluation process, we're very proud of. We think
11 it is one of the best processes in the state. It
12 is a process where we select evaluators, managers,
13 people with input into the process, and they rep-
14 resent Operations, Administration, Policy Analysis,
15 and those individuals are the Evaluation Commit-
16 tee.

17 Barbara's unit is not part of the
18 Scoring Committee. They manage the process. And
19 Melissa's unit is not part of the evaluative sub-
20 ject scoring. They will factor out the budget
21 pieces.

22 And everybody -- every reviewer uses
23 the same budget score, because that's an objective
24 evaluation that's made. The individuals involved
25 in the scoring will receive the RFP -- they have

1 the RFP now -- they will receive the proposals, and
2 they will then score those proposals privately, per
3 guidelines that they will be given.

4 They will not be sharing that infor-
5 mation with anybody else in the chain of command,
6 including their supervisors. Nobody knows who bid.
7 Nobody can know who bid.

8 If you submit a bid, and if you want
9 to know if your bid got here on time, you can call
10 Barbara's shop, and Barbara's shop will let you
11 know if your bid is here. They can do that because
12 they are not scoring the proposals.

13 What happens is, when someone sub-
14 mits a proposal, if the chairman of the agency
15 wants to know who submitted a bid, the chairman
16 will not be told. That -- this is protection for
17 our bidders, as well as for our managers, and the
18 agency.

19 This way, if someone in this room
20 has a relationship with a high-level manager who is
21 not involved in this procurement process, the pro-
22 cess is beyond reproach, because that person does
23 not know that you submitted a bid, and they won't
24 be told you submitted a bid.

25 After the evaluation is done, and

1 it's scored, obviously the highest score is going
2 to receive the contract. The contract awards are
3 made by myself. So I will then designate the award
4 in consultation with counsel's office, and then
5 we'll make those awards. It streamlines the
6 process very, very much.

7 Then it has to go to the Comptrol-
8 ler's Office for formal approval. Only upon formal
9 approval of the Comptroller's Office is the pro-
10 curement process closed. And once it's closed, the
11 award is official, and then information pursuant
12 to this process, you can get.

13 You know, you can get a copy, if you
14 didn't get the contract, of the winning contract,
15 and all those things, so you can evaluate, you
16 know, your performance for future bids.

17 Until the process is complete, if
18 you don't get a contract award, there is a debrief-
19 ing discussion that Terry and I will do for anyone
20 who wants to know why their proposal lost points.
21 We won't be able to talk to you about proposals,
22 but we'll be able to give you some feedback.

23 In the past, you would have had to
24 wait seven or eight weeks before you'd get any
25 feedback. Now we can at least debrief in perhaps

1 why you lost points in the process.

2 There's a lot of things about this
3 RFP -- not this particular RFP, but the RFP pro-
4 curement rules that we follow in this agency. And
5 the most important thing, without fail, and I've
6 said it all the time, and it's getting better --
7 it's getting a lot better, but there's two things
8 that are absolutely critical.

9 One is, when you submit your propo-
10 sal, after you sit there and you check it, and you
11 make sure your original copy has every single
12 requirement, after you do that, check it again.
13 After you check it again, find somebody else to
14 check it again. And then, do it again.

15 We've had proposals that we've had
16 to kick out for things like they didn't have an
17 organizational chart -- one of our favorites --
18 which was required.

19 MR. TRACY: Which we don't --

20 MR. NESICH: We don't require that
21 anymore.

22 MR. TRACY: That was a killer.

23 MR. NESICH: That was -- we made
24 that debriefing call once, and said we're never
25 doing that again. The point is, though, it was

1 required. It had to be provided.

2 We had a proposal -- a multi-million
3 -dollar proposal for drug treatment, and the pro-
4 posal was disqualified because it wasn't signed.
5 There was no authorized signature.

6 MR. TRACY: The copies were signed,
7 but not the original.

8 MR. NESICH: We don't even know how
9 such a thing can happen. But --

10 MR. TRACY: Make sure the copies --
11 the original is signed. That's the original --
12 much like a court document.

13 MR. NESICH: Yeah, because we can
14 make no exceptions. So please -- there's nothing
15 that bothers us more, than seeing a proposal that
16 people really put a lot of work into, not only --
17 not to mention that we're thinking, what kind of
18 conversation is going on in their building with
19 their supervisory chain of command, because some-
20 body didn't sign it.

21 So please, just go over it in super
22 detail, because we are very strict. We have to be.

23 Secondly, and most important, get it
24 here on time. I'll use the example I always use.
25 We had somebody, who they FedEx'd it. FedEx didn't

1 get it here. They showed us the FedEx receipt.
2 FedEx guaranteed that it would be here by 1:00.
3 They didn't get it here until 4:03. Bidding closed
4 at 4:00. We rejected it. We had to.

5 Rob -- and you've all seen Rob,
6 right? He's pretty serious.

7 MR. TRACY: When you came into this
8 building.

9 MR. NESICH: Rob will be down there
10 at 4:00. And Barbara will go down at like 3:59,
11 and we coordinate with Rob. And seriously, at 4:00
12 it's like, that's it. If you show up like The
13 Graduate, at 4:01, we can't take it.

14 Because if we do that, then we've
15 violated that rule. And really, what we should
16 have done then, is given every single vendor an
17 opportunity by extending it for a week, or two
18 days, or three days.

19 So there's no excuse that could
20 actually -- no excuse that would enable us to take
21 it late. If you had a death in the family, or
22 anything, we just can't take it late. So we
23 recommend that you really get it here early that
24 day, or the day before.

25 If you have it delivered, you can

1 call Barbara. You can say, Barbara, when it
2 arrives, will you let me know? And we'll let you
3 know. Barbara and Marla will be the only people
4 who will know at that point.

5 Once they're opened, they're all
6 recorded. Then the Evaluation Committee, including
7 the Budget Unit, will then know who bid, and then
8 the process will begin.

9 So those are the major elements. Is
10 there other things you think I should emphasize, or
11 do you want to go right into the questions?

12 MS. FARLEY: I just had some --

13 MR. NESICH: Yes, go ahead.

14 MS. FARLEY: -- a few dates.

15 MR. NESICH: Go ahead.

16 MS. FARLEY: Now, April 9th at 12:00
17 noon is the due date.

18 The questions deadline is April 2nd.
19 We will post them on our website on
20 the 4th.

21 And hopefully we can have the tran-
22 script on our website by the 4th, but we'll see.

23 STENOGRAPHER: Tell me when you want
24 it.

25 MS. FARLEY: At least -- you know --

1 MR. NESICH: Oh, no, she's not
2 referring --

3 MS. FARLEY: We can --

4 MR. NESICH: No, you always get it
5 in on time.

6 STENOGRAPHER: Okay.

7 MR. NESICH: You're fine. You're
8 fine. You're great. Don't get worried here,
9 you're great. No, no, no.

10 STENOGRAPHER: Thank you.

11 MS. FARLEY: I don't want to put too
12 much pressure on you.

13 STENOGRAPHER: That's all right.

14 MR. NESICH: Just our interaction
15 with the -- our vendor for --

16 STENOGRAPHER: Well what day do you
17 want me to have it, though?

18 MS. NESICH: What date, Barbara?

19 MS. FARLEY: Whatever is the earl-
20 iest you can give it to us.

21 STENOGRAPHER: Okay, all right.

22 MR. NESICH: I think, right, we
23 could go to questions. And rather -- what we used
24 to do is, I'd go through the RFP, and nobody en-
25 joyed that. There was one person in the room who

1 thought, this is great, they're going through
2 everything in here. Everybody else thinks that's
3 horrible.

4 MS. PERROTTY: Can I just mention
5 one thing, please?

6 MR. NESICH: Yes, please.

7 MS. PERROTTY: We realized today
8 that we probably needed to actually submit for you
9 a budget guideline as to how we wanted this costed
10 out.

11 So actually, we're going to put an
12 addendum on the website -- hopefully by the end of
13 the day tomorrow it should be up -- just basically
14 giving you a guide as to, you know, what we want in
15 the proposal costed out, based on -- so it's all
16 equal, we score it, you know, we want a certain
17 number of transactions, 10,000 transactions month-
18 ly, 120,000 transactions a year. So everything is
19 fair, and concise, and comprehensive.

20 MR. NESICH: Yeah, that's a good
21 point. If you think of the addendum -- you're
22 going to see it. It will look like a budget that
23 will have, you know, maybe ten, or fifteen, or
24 twenty possible items.

25 And someone could have something in

1 every one of those items, or they could have one
2 thing at the top that says everything is included
3 in this one price for every time we process this
4 piece of paper.

5 MS. PERROTTY: It's just a guide.

6 MR. NESICH: Yeah. So you might
7 have a lot of them included, included, included,
8 but -- but it's to give you something. Because as
9 Melissa pointed out, it perhaps would be -- it
10 would make it easier to navigate through the cost
11 piece, than to just leave it without the addendum.

12 MS. GALLO: Banks call things -- we
13 call things -- we have our own jargon, right?

14 MR. NESICH: Yes.

15 MS. GALLO: We try to standardize
16 it, but there are some times when things are called
17 different things. Would we have the ability to, if
18 we needed to add some things that we feel need to
19 be included?

20 MS. FARLEY: Absolutely.

21 MS. GALLO: So it's not just what's
22 going to be in the template, but we'll --

23 MR. NESICH: That's right.

24 MS. GALLO: -- have the ability to
25 add?

1 MS. FARLEY: Yes.

2 MR. NESICH: And if you know that
3 what we're asking for is something that you call
4 differently, just put like a little line through
5 it, and put in parenthesis whatever your organi-
6 zation might call it.

7 MS. FARLEY: It'll be an Excel
8 spread sheet.

9 MS. GALLO: Okay, great.

10 MS. PERROTTY: And we do list the
11 ability to put start-up costs, but they are only
12 reimbursable during the first year of the contract.

13 STENOGRAPHER: What was that called?

14 MR. NESICH: Start-up costs.

15 STENOGRAPHER: Start-up -- thank
16 you.

17 MR. NESICH: And just so everyone
18 understands, that's different from a cash advance.
19 A cash advance all of our contracts get if you're a
20 not-for-profit.

21 This is an actual start-up cost.
22 You need \$40,000 to start the program. That's not
23 something that's recouped. That's just part of
24 your cost.

25 MS. FARLEY: There is one more

1 thing. On the cover sheet that you send in, it
2 does require the signature, as Jeff stated before,
3 but there's also a checklist on the bottom.

4 And it states that if you comply
5 with Attachment F, I think it is, which is the
6 standard language for all state contracts, there's
7 a little line there for that, and the McBride
8 Principles -- please make sure that that's signed.

9 MR. NESICH: Barbara, what will
10 happen if somebody has a fabulous proposal, but the
11 line that says McBride is blank? What happens?

12 MS. FARLEY: Disqualified.

13 MR. TRACY: Phase 1 disqualifica-
14 tion.

15 MR. NESICH: That's why check it
16 three or -- you can't check it enough.

17 MR. TRACY: And we got -- we had to
18 move in that direction, because for -- I've been
19 with the Division for about eleven years. When we
20 got into subtle situations of noncompliance, it's
21 like, how far do you cut one vendor, and then not
22 the other, and it just became too unwieldy.

23 And so, you know, with the guidance
24 of the Comptroller's Office, you just move to like
25 hard-and-fast rules, even though they do appear

1 draconian. They're just -- everyone is on the same
2 playing field.

3 MR. NESICH: They protect everybody
4 from any subjective judgments somebody could --

5 MR. TRACY: Right.

6 MR. NESICH: -- make about what's
7 included or not included.

8 So do you want to go to questions?
9 Garfield or Larry, anything?

10 MR. HAMMOND: No.

11 MR. ZEITLER: No.

12 MR. NESICH: Why don't we -- do you
13 need them to state their names?

14 STENOGRAPHER: I have them.

15 MR. NESICH: Okay.

16 STENOGRAPHER: Thank you.

17 MR. NESICH: Jump -- anybody, jump
18 right in.

19 MR. COLLINS: Is the -- Paul
20 Collins from The Preferred Group. Is the format of
21 the coupons static? In other words, what's in here
22 is -- or is there a possibility of slight redesign
23 for efficiency?

24 MR. NESICH: I'm sorry, could you
25 just tell me the section, just so I can --

1 MR. COLLINS: Attachment A.

2 MR. NESICH: Okay. Attachment A,
3 the coupon books have to include all this informa-
4 tion. If you have a coupon book design that moves
5 the information around a little bit, that's not a
6 problem.

7 MR. COLLINS: Okay.

8 MR. NESICH: It just has to include
9 all the lines and all the components that are here.

10 MR. COLLINS: Okay.

11 MR. NESICH: Because we recognize
12 each organization is going to read things perhaps a
13 little differently.

14 MS. HAMLIN: It's actually a --
15 like, the bank copy is on the top, then the parolee
16 copy, and then the file copy.

17 MR. COLLINS: Hmm-hmm.

18 MS. HAMLIN: I just ran them this
19 way --

20 MR. COLLINS: You just ran them that
21 way so --

22 MS. HAMLIN: It's in triplicate
23 form.

24 MR. COLLINS: Okay.

25 MR. BIGGANE: Andy Biggane, KeyBank.

1 Can we ask who produces those currently? What
2 vendor do you guys use?

3 MR. NESICH: For the coupon books?

4 MR. BIGGANE: Right.

5 MR. NESICH: Actually, that's part
6 of the existing contract, which we're not -- since
7 we're in a competitive process, we're not at free-
8 dom -- or at liberty to disclose that. When we're
9 not in a competitive process, you know -- for
10 example, you'd say -- if you request a copy of the
11 contract, and -- you know, because we're in a
12 competitive process.

13 The reason why is, that if we were
14 to disclose that information to you today, we'd
15 have to put it out to make it available to every
16 single possible person who might read this on the
17 website, and all of that stuff.

18 MR. BIGGANE: Okay.

19 MR. CARPINELLO: Bob from KeyBank.
20 Are all the, you know, documentation that's going
21 to be mailed in, going to have one of these slips
22 with their -- with Attachment A?

23 MR. NESICH: Yes.

24 MR. CARPINELLO: Okay.

25 MR. NESICH: It should be.

1 MS. HAMLIN: The bank copy.

2 MR. CARPINELLO: Okay.

3 MR. BIGGANE: Andy from KeyBank
4 again. The RFP mentions computer tapes, which we
5 are kind of migrating away from supporting that.
6 Is transmission permissible as a substitute?

7 MR. HAMMOND: Yes, tape or other
8 medium. FTP --

9 MR. BIGGANE: Okay.

10 MR. HAMMOND: -- potentially. We
11 don't necessarily open up our systems to outside
12 FTPs readily. But we can --

13 MR. BIGGANE: FTP is fine.

14 MR. HAMMOND: Right.

15 MR. COLLINS: Paul Collins from The
16 Preferred Group again. The reporting that is going
17 out to -- well the supervision reports and such,
18 you know, Attachment C, for example, Attachment D,
19 and that type of thing, are they able to be elec-
20 tronically given, for example, by PDF?

21 MR. NESICH: I think I would defer
22 to you, Larry, on that.

23 MR. HAMMOND: Say it again, please.

24 MR. COLLINS: Are the reports able
25 to be made available by PDF instead of killing

1 trees?

2 MR. HAMMOND: Well --

3 MR. COLLINS: If we found a way to
4 give them --

5 MR. HAMMOND: I'd prefer to defer to
6 Operations. Operations is the user of the reports.
7 Depending on how they want to review them, either
8 in -- whether they want to print them.

9 I'm not saying that they can't be
10 PDFs, but they have to be able to get to those
11 folks somehow. However Operations can get on and
12 pull those up in a PDF, that's fine -- I think.
13 I'd have to defer to Operations.

14 MR. NESICH: Are you asking in terms
15 of rather than as the hard copy, making it avail-
16 able in PDF format?

17 MR. COLLINS: Yes.

18 MR. ZEITLER: On your website, done
19 electronically.

20 MR. COLLINS: Yes.

21 MR. NESICH: Which would mean that
22 -- that would mean that we would be printing out
23 all the copies. So I think that's a fair question.

24 MR. ZEITLER: Well if they could
25 send the individual --

1 MR. NESICH: Well let's focus on the
2 -- rather than put you on the spot, let's focus on
3 the RFP.

4 If -- what I would say is, that if
5 your organization -- if your bid would make that as
6 an option or a choice, I would say that. If it
7 also would say that you would only provide them
8 electronically, I think you should say that.

9 MR. TRACY: Right.

10 MR. COLLINS: And then we let the
11 evaluators look at that accordingly.

12 I mean, I love putting Garfield on
13 the spot, but.

14 MS. GALLO: Are you going to --
15 would you be looking for compensating balances as
16 well as direct bill?

17 MR. NESICH: No, just direct bill.

18 MS. GALLO: Just direct bill.

19 MR. NESICH: We tried to fold this
20 into compensating balances years ago. The Comp-
21 troller's Office -- and it's interesting, because
22 at the time, I was told that they insisted on
23 everything being compensating balance reimburse-
24 ment. But they then told us no, this had to be
25 direct fee.

1 MS. GALLO: Okay.

2 MR. NESICH: And I wonder -- I don't
3 know if they're moving away from direct fee. They
4 might -- I think with the new Comptroller, they
5 might go in one direction or another, but right now
6 it's direct bill.

7 MS. GALLO: Okay. And just one
8 other question. You don't make mention of an on-
9 line reporting information system from like the
10 bank's platform. But is there any access to that
11 today? Are you utilizing banks' on-line systems
12 for information reporting, or are you relying
13 mostly on the hard copy?

14 MR. NESICH: No, I think if you have
15 -- if a vendor has on-line reporting information to
16 make available, we want to know that.

17 MS. GALLO: Hmm-hmm.

18 MR. NESICH: And I think I'm fair
19 enough to say that that will strengthen your pro-
20 posal. The RFP is essentially really, as I said, a
21 set of minimum requirements -- or in this case,
22 minimum desires. So yeah, absolutely.

23 MS. GALLO: Thank you.

24 MR. TRACY: That would be good to
25 know.

1 MR. BIGGANE: Andy Biggane with
2 KeyBank.

3 MR. NESICH: Yes.

4 MR. BIGGANE: Will Parole require
5 the original documents back at any time -- the
6 coupons, remittances, anything like that? Are
7 there any archive stipulations?

8 MR. NESICH: We do need to see
9 copies, but we've seen them often electronically,
10 and that sufficed in terms of any legal situation
11 that we've had. So I think as long as you can
12 produce even a copy on-line or something, that's --

13 MR. BIGGANE: Images in lieu of the
14 originals.

15 MR. NESICH: Yes. I think that's
16 the direction the industry is going in.

17 MR. TRACY: We do that with checks
18 anyway now in the industry. I never get back my
19 checks anymore. I get photocopies of them.

20 MR. NESICH: Yes, David.

21 MR. JONAS: David Jonas. This may
22 sound like a silly question, but because of some of
23 the technicalities, I just want to make sure that
24 I'm precise.

25 Is there a font size that you re-

1 quire for the response? I know it indicates double
2 spaced. I think a double-spacing with a type-
3 writer, but I just want to make sure that we're --
4 you know, there's no technicality there.

5 MS. FARLEY: We didn't state any-
6 thing in there for font.

7 MR. JONAS: Would you consider the
8 RFP double-spaced? I'm not trying to be --

9 MR. NESICH: No, no, it's good that
10 you asked.

11 MR. JONAS: I want to be specific.

12 MS. GALLO: Because it says double-
13 spaced in the RFP.

14 MS. FARLEY: It does say double-
15 spaced, but because we didn't specify a font, I
16 really can't just give you one. I can't say that
17 if you --

18 MR. TRACY: Times New Roman 12 is
19 good. Courier 10 is good. You know, we're all
20 getting older -- our eyes, you know.

21 MS. FARLEY: It's not stated, so we
22 can't, you know, disqualify someone for a different
23 font. But if we did, then we'd have to go by --

24 MR. JONAS: Is there a page limit?

25 MS. FARLEY: There's a ten-page

1 limit, yes.

2 MS. GALLO: Do you want it double-
3 spaced the way you've done it here? I mean, I'm
4 just --

5 MS. FARLEY: The RFP is not double-
6 spaced.

7 MS. GALLO: Okay, so you want it
8 double-spaced.

9 MR. NESICH: When responding to RFPs
10 -- -- I don't think it's much of a problem for
11 banking organizations, but when we do RFPs for
12 treatment programs, for example, you get all the
13 people with that grant writing background, and they
14 love the prose and the adjectives and stuff. So
15 the ten pages tends to really constrict them.

16 It's facts. Nothing but the facts.
17 But they want to put we have an excellent program,
18 not we have a program. We don't care about excel-
19 lent. We'll determine excellence in the scoring.
20 But you guys will probably do better with ten
21 pages.

22 MR. TRACY: They have an excellent,
23 efficient, and well-regarded program.

24 (Laughter)

25 MR. NESICH: Oh, boy -- and highly

1 regarded by many throughout the entire community of
2 which we reside and function. Hey, guess what?
3 You're not going to get much in those ten pages.

4 (Laughter)

5 MR. JONAS: And one other technical-
6 ity question. The original copy is signed, but
7 it's okay to have copies of the -- the signature
8 doesn't need to be an original signature on the
9 copies.

10 MR. TRACY: Correct.

11 MR. NESICH: Correct, you get a
12 photocopied signature on the copies.

13 MR. JONAS: Okay.

14 MR. NESICH: And actually, those are
15 excellent questions.

16 MR. TRACY: Because that's --
17 believe it, that's where people have made --

18 MR. NESICH: And if you have a ques-
19 tion like that over the next couple of weeks, and
20 you think it's bizarre, send an e-mail and ask it,
21 just to be sure.

22 MR. TRACY: That's right.

23 MR. NESICH: The thing -- the main
24 thing, and the rule of thumb we follow is, we can't
25 hold you to a standard that we haven't set here.

1 And like -- as Barbara said, we can't decide to
2 make up today what font we want.

3 While we can help you interpret this
4 -- we interpret this as a real strict, conservative
5 -- it's like judicial intent. I don't know, the
6 original constitutional intent. Whatever this says
7 exactly, and specifically, and literally, and noth-
8 ing more, is the minimum requirement standards.

9 MS. GALLO: So you just want the
10 narrative back -- you want our response back. You
11 don't want your original document, with our answers
12 inserted. You want just the narrative back with --

13 MR. NESICH: The narrative back with
14 the attachments.

15 MS. GALLO: With the attachments, of
16 course, right.

17 MR. NESICH: Yes.

18 MS. GALLO: Not repeating your docu-
19 ment -- not resubmitting your document.

20 MR. NESICH: That's right.

21 MS. GALLO: Okay, thank you.

22 MS. BOHM: Now back to the -- it's
23 actually the remittance itself. Is it processing
24 of just the payment that's coming in with that
25 remittance? Or are you looking for a provision for

1 if somebody just sends in their \$15.00 money order?

2 MR. NESICH: Payments should always
3 come with the coupon book, but that doesn't always
4 happen.

5 MS. BOHM: No, it doesn't.

6 MR. NESICH: So, for example, if you
7 have a different fee for processing the check that
8 doesn't have a coupon book, then you tell us.

9 MS. BOHM: Okay.

10 MR. NESICH: Now there will be pro-
11 visions beyond that like -- you're probably, you
12 know, going to let us know that -- but we would
13 like that to be deposited, and if you have a way to
14 find out who it is.

15 Often you'll have to reach out to
16 Operations for assistance. Because some indivi-
17 duals, if they just sign their name and there's no
18 account number, no NYSID, you never know if you're
19 going to find it. In which case, you'll go to
20 Operations, they'll help you find it, and come back
21 and deposit it.

22 And if that's more money because it
23 can't go mechanized, then you tell us. It's what-
24 ever your needs are that you have to represent.
25 For example, we referenced an estimate of 10,000

1 transactions a month. We've had this program go as
2 low as 1,000 transactions a month.

3 So when you bid on this, if it has
4 to be a certain level of transactions, or a certain
5 dollar amount as a safety valve, you have to tell
6 us. So at -- you know, at this estimate, it's
7 going to be X amount of money. But if you go below
8 5,000 a month, it's this amount. If you go over
9 15,000, it's this amount.

10 We have to cost it out on the
11 10,000. But what it does is, it protects you. If
12 you go down to 4,000 a month for some reason, under
13 your contract it would have in there that you get a
14 different fee -- a higher fee. If you don't say
15 that, then you can't.

16 So you think about what you need to
17 protect you, even if it's a minimum payment every
18 month, regardless of what happens. If there's some
19 kind of a floor, you just say that.

20 MR. CARPINELLO: In the current
21 process, if a check comes in without an account
22 number, what does your current vendor do with that?
23 Do they deposit it, then call?

24 MR. NESICH: If it comes in without
25 an account number?

1 MR. CARPINELLO: Right.

2 MS. HAMLIN: It comes right back to
3 me.

4 MR. CARPINELLO: Okay. You get --

5 MS. HAMLIN: Anything that doesn't
6 have a payment --

7 MR. CARPINELLO: -- the check
8 deposited, or --

9 MS. HAMLIN: -- coupon --

10 MR. CARPINELLO: -- or just a copy
11 of the check?

12 MS. HAMLIN: I don't get -- well .
13 yes, I do get the check back.

14 MR. CARPINELLO: You get the origi-
15 nal back.

16 MS. HAMLIN: Yeah, unless I can --
17 can I say this? Unless I can go online and say
18 this is the account number, please deposit it. If
19 I can't determine it, or I can't determine it in a
20 certain number of days, it comes -- the check
21 itself is mailed directly back to me.

22 MR. CARPINELLO: So you have a deci-
23 sioning module online that will ask you stuff.

24 MS. HAMLIN: Hmm-hmm.

25 MR. NESICH: We use tools --

1 MR. CARPINELLO: Okay.

2 MR. NESICH: -- there are tools
3 available that help Sandy to help the vendor better
4 to quickly determine who that check is to be depo-
5 sited against.

6 MR. CARPINELLO: And what's the
7 acceptable amount of time that that item would be
8 in that decisioning module before you would say
9 return it?

10 MS. HAMLIN: Maybe three to five
11 business days -- somewhere in there.

12 MR. HART: How often are the data
13 files updated? Obviously, you have people going
14 off parole, and people coming on parole each month.
15 Are these files updated monthly?

16 MR. NESICH: I believe you're refer-
17 ring to the file -- the information on the 24th or
18 the 25th of every month that we -- right? It's
19 just once a month.

20 MR. HART: Okay.

21 MR. NESICH: And that generates new
22 coupon books, and the adds, and the deletes.

23 MR. HAMMOND: We have people coming
24 on and off daily, but we have papers monthly.

25 MR. HART: Okay.

1 MR. JONAS: Just a follow-up ques-
2 tion on the comment about the narrative response,
3 and the nature of the response to the RFP.

4 For example, in Section 2-D, it says
5 -- under lockbox it says, contract with the bank
6 will require that, you know, one, the location of
7 the lockbox for the receipt of supervision fee
8 documents and remittance will be provided. That's
9 basically where you're going to be doing the work.

10 MR. NESICH: Hmm-hmm.

11 MR. JONAS: In a narrative response
12 you're -- I presume you're looking to get that
13 information back. It's kind of repeating the ques-
14 tion, but I'm trying to -- you know, I'm trying to
15 save -- so you are looking to confirm that those
16 things are affirmed in the response, correct?

17 MR. NESICH: Yeah. I mean, that was
18 basically the -- you know, as you all know, the
19 lockbox could be any post office in the state. So
20 it's an understanding of is it going to be in
21 Albany? Is it going to be in New York?

22 Frankly, it's not really critical
23 where it is, but it is information we'd like to
24 have in terms of going forward with the program. I
25 don't necessarily think that -- you know, if there

1 is an advantage where the lockbox is here instead
2 of here, and somehow that's going to affect you, I
3 assume it's always going to be in a place that it's
4 easy -- that it's easier for you in doing business
5 to obtain the contents.

6 And, obviously, if the lockbox is
7 very far away from your operation, and there's an
8 extra cost incurred in getting the information to
9 your operation, and then passed on to us, that ends
10 up being reflected in the financial analysis.

11 MR. JONAS: You know, and that's
12 helpful. I guess just to follow-up on that -- I
13 guess what I was trying to ask is, are you looking
14 for affirmation on some of these items which are
15 really -- because it's specifying that the contract
16 is going to require these things.

17 So this is a heads-up that you're
18 going to be responsible, and we're going to have
19 to contractually agree to some of these items. But
20 the RFP does say that you're looking to make sure
21 that every single point is addressed.

22 MR. NESICH: Right.

23 MR. JONAS: So some of these items,
24 although you're not going -- affirm all of these
25 questions, which I assume when you're reading it,

1 it may seem a little bit -- it's saying -- it's
2 just affirming that you're going to do --

3 MR. NESICH: Yeah, I understand.

4 MR. JONAS: As opposed to giving a
5 solution to some of the questions.

6 MR. NESICH: I understand.

7 MR. JONAS: I just want to make sure
8 that -- is that being redundant, or is that --

9 MR. NESICH: No. Here's what I --

10 MR. JONAS: If that's something that
11 you have to indicate.

12 MR. NESICH: Here's the way I would
13 look at it. If you go to page 16 --

14 MR. JONAS: Right.

15 MR. NESICH: -- Phase 2. What we're
16 really talking about there is A., in the middle of
17 the page, proposals evaluated on the following
18 criteria. What we want to know clearly there is,
19 if there are things that we're asking for here that
20 you can't do, you need to tell us.

21 If you're basically saying, well all
22 of the services that you're asking for, we can pro-
23 vide, you don't have to go through and list all of
24 those services. Because, obviously, if you say you
25 can provide it, and then you don't, we're going to

1 have a contractual problem anyway. And if the
2 Comptroller found that out, they would throw it out
3 anyway.

4 So in that regard, you want to
5 basically say you read the scope of services, and
6 your institution has the ability to meet all of the
7 requirements that the Division of Parole has.

8 When you get to number B, demon-
9 strate ability, well that's where you get a little
10 bit of the things that you want to highlight in
11 terms of your experience, and your ability to make
12 our job easier, and to run it in a very efficient
13 way.

14 Then number C is the current busi-
15 ness clients, and things of that sort. Does that
16 help?

17 MR. JONAS: Yes, thank you.

18 MR. BIGGANE: Kind of along those
19 same lines, will any bidder be declared unrespon-
20 sive or nonresponsive if they can't meet every
21 piece of the contract?

22 MR. NESICH: No, because to do that,
23 we would have had to make those mandatory require-
24 ments.

25 MR. BIGGANE: Okay.

1 MR. TRACY: It's a scoring process.

2 MR. BIGGANE: Yes.

3 MR. NESICH: Now if you said, basic-
4 ally, you know, we're not going to do a lockbox.
5 We're going to have my uncle. We'll evaluate it,
6 but you know --

7 MR. BIGGANE: But the cumulative
8 score -- it's not, you know, you're missing x, so
9 you're out.

10 MR. NESICH: That's right.

11 MR. BIGGANE: Unless you don't sign
12 it.

13 (Laughter)

14 MR. NESICH: That's right. I mean,
15 basically, the only way you're going to be out is
16 -- Phase 1 is the only way you get kicked out. If
17 you get to Phase 2, you're going to get a score.

18 MR. COLLINS: Are there other aver-
19 ages -- other than the about 10,000 items a month,
20 are there other averages that have been determined,
21 and are they going to be published, such as the
22 number of reprints?

23 MR. NESICH: No. Most of the other
24 items, frankly, with the exception of the coupon
25 books, the numbers are very negligible -- the num-

1 bers are small.

2 The coupon books -- what we do in
3 terms of costing out, just so everybody understands
4 is, the playing field is level as long as we use
5 the same number of people for each calculation. We
6 can't use, you know, 2,000 for your proposal of
7 coupon books a month, and 5,000 for yours. We use
8 the name number.

9 But the other costs, frankly, are
10 very negligible, with exception really to the
11 transaction processing.

12 Now if you have corporate costs that
13 are fixed, those become significant. If there's a
14 lockbox cost every month, and that's a high cost --
15 but then that's a quantity of, you know, once a
16 month for that cost.

17 On bad, or tampered documents, and
18 things like that, give us your cost, but those are
19 very negligible. And what you would probably see
20 is, in costing out those components, we will be
21 using very small numbers to do that. And everybody
22 gets the same anticipated quantity.

23 MR. HART: Are there any details on
24 the number of coupon books that have to be ordered
25 over the course of a year? You know, Charlie lost

1 his, and we have to get another one out.

2 MR. NESICH: There are. I mean,
3 obviously, we have a history of what that is. But
4 it's been varied enough that we didn't provide it
5 in the RFP. So, again, what I say is, you know, if
6 you protect yourself, if you get three numbers
7 based on volume, give us the three numbers.

8 MR. HART: All right.

9 MR. CARPINELLO: I have a question
10 about the -- so the monthly file that you would
11 send to the vendor, is strictly to say who is on,
12 who is off, and create the coupon booklets, cor-
13 rect?

14 MR. NESICH: Yes, I believe that's
15 the --

16 MR. CARPINELLO: And then the date
17 of transmission, what is that? It just updates the
18 system, and says who hasn't paid, who has paid, and
19 then you take the appropriate steps to remedy that?

20 MR. NESICH: That's right.

21 MR. CARPINELLO: And there's no
22 privacy issues with sending that monthly file out
23 with names, and it's never been a privacy issue?

24 MR. NESICH: I knew counsel was here
25 for a reason.

1 MR. CARPINELLO: It just seems like
2 that would open yourself up to --

3 MR. TRACY: The number that has been
4 problematic in terms of privacy, is when we had
5 used NYSID numbers.

6 Are we using the NYSID numbers now?

7 MR. NESICH: We --

8 MR. TRACY: We've moved away from
9 that.

10 MR. NESICH: We mix --

11 MS. FARLEY: We recalculated it.

12 MR. NESICH: Yeah, we have something
13 in there that --

14 MR. TRACY: A NYSID number, is a New
15 York State Identification Number, assigned to an
16 individual when they are arrested. And everyone
17 gets one whose ever been arrested, just so it's
18 part of their criminal history record.

19 According to the rules that have
20 been promulgated by the New York State Division of
21 Criminal Justice Services, these are confidential.

22 MR. CARPINELLO: Okay.

23 MR. TRACY: And so we had that
24 concern, but so long as we played word jumble --
25 number jumble --

1 MR. NESICH: Yeah, if we jumble --

2 MR. TRACY: -- we're fine. If we
3 jumble the number, there's no problem.

4 MR. CARPINELLO: All right.

5 MS. FARLEY: Can we go back to what
6 to include in your ten-page narrative? On page 12,
7 I just want to make sure that it's realized that
8 all the items, A through F on there, that they're
9 all listed out that way.

10 MR. HART: Then it's ten pages, plus
11 attachments.

12 MS. FARLEY: Ten pages and -- .

13 MR. CARPINELLO: With attachments?

14 MS. FARLEY: I know, which is --

15 MS. BOHM: Is that including?

16 MR. NESICH: No, it's --

17 MS. FARLEY: We didn't list anything
18 about attachments.

19 MR. TRACY: It's a ten-page proposal
20 response narrative.

21 MR. NESICH: Ten pages, and then the
22 attachments are over and above. It's a ten-page
23 proposal narrative.

24 MR. JONAS: Pricing is considered an
25 attachment?

1 MR. NESICH: Yes, because you're
2 going to get a --

3 MS. FARLEY: That will be that bud-
4 get sheet.

5 MR. NESICH: There will be a separ-
6 ate budget sheet.

7 MR. TRACY: There you've got your-
8 self a page.

9 MR. JONAS: Was there a template for
10 the application cover sheet?

11 MS. FARLEY: Actually, we didn't put
12 that as a separate piece. Because it has to be
13 signed, we figured --

14 MR. JONAS: Okay.

15 MS. FARLEY: Original and ten
16 copies. I just don't want to leave anything out.

17 MR. NESICH: Yeah, the cover sheet
18 is in addition to the ten pages.

19 MS. FARLEY: Yes. We didn't make a
20 special template for it, like the Excel spread
21 sheet.

22 MS. GALLO: It's just -- for the
23 coupon books?

24 MS. BOHM: And the 10,000 monthly
25 transactions. We're not going to do 10,000 coupon

1 books a month, so we need to provide an average
2 coupon book number for the year.

3 MR. NESICH: Yeah, they -- what
4 we'll do is, they -- we run about 2,000 people a
5 month. But we just need your price for the coupon
6 book, and then we cost it out using a -- I believe
7 they're using the same number for everybody, which
8 is probably the 2,000 releasees who come off every
9 month.

10 MR. TRACY: And everyone understands
11 how the coupon book should look? (Pause). Okay.

12 MR. BIGGANE: I've got to ask, but
13 is there any consideration to providing an exten-
14 sion from the April 9th date?

15 MR. NESICH: We can't, because we're
16 locked into deadlines in terms of the existing re-
17 quirement that we bid every five years.

18 The other thing too, frankly, is
19 we've got so many RFPs and everything going on
20 right now. So unfortunately, we have to move
21 quickly.

22 This is also a program that, unlike
23 some things, can't get up and running in nine days,
24 you know what I mean, after a contract is awarded.
25 So we need to create enough time to really work

1 with a vendor.

2 MS. FARLEY: On the attached forms
3 that are required, just to let you know, there are
4 some pages that need a notary.

5 MR. NESICH: Very good. Well --

6 MR. BIGGANE: One more thing,
7 sorry.

8 MR. NESICH: Go ahead.

9 MR. BIGGANE: Is there any condition
10 under which Parole would maintain the mailing of
11 these coupon books in-house, or is that 100% --

12 MR. NESICH: That's an option that
13 we always have.

14 MR. BIGGANE: Okay.

15 MR. NESICH: And it's an option that
16 could be exercised in the future. Right now, the
17 RFP anticipates that we won't be doing that.

18 But, again, if you submit a propo-
19 sal, and you say coupon books would have to be
20 handled directly by Parole -- so you could tell us
21 that, and then the proposal would be reviewed
22 understanding that that's your position. It's not
23 going to disqualify you.

24 MR. CARPINELLO: It's minus five
25 points.

1 (Laughter)

2 STENOGRAPHER: Ten.

3 MR. NESICH: Now you've got to
4 record yourself -- Transcriber: Ten.

5 (Laughter)

6 MR. NESICH: So, you know, there's
7 the old saying: Going once, going twice.

8 And you are able to submit questions
9 in writing. You'll get answers back.

10 They're double-spaced. I'm only
11 kidding.

12 What kind of font, Barb, on the --

13 (Laughter)

14 MR. NESICH: I'm just kidding.

15 If nobody has any other questions, I
16 would like to thank you all for coming, and we look
17 forward to getting your proposals.

18 And we hope that you enjoyed your
19 stay with the Division of Parole. Come back -- but
20 don't back come back to --

21 (Laughter)

22 MS. BOHM: With a visitor's pass.

23 MR. NESICH: Okay, we're all set.

24 (Conference adjourned at 2:28 p.m.)

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STATE OF NEW YORK

I, Brenda L. Bigelow, hereby certify that the foregoing is a true and accurate transcript of the proceedings that have taken place on Tuesday, March 27, 2007 in the above entitled matter, to the best of my knowledge and ability.


Brenda L. Bigelow



A		
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