



MARTIN O'MALLEY
Governor

ANTHONY BROWN
Lieutenant Governor

T. ELOISE FOSTER
Secretary

QUESTIONS AND RESPONSES # 2
PROJECT NO. F10B440013
Department of Budget and Management, Central Collection Unit
Account Verification Services
June 26, 2014

Ladies/Gentlemen:

This List of Questions and Responses, questions #10 through #13, is issued to clarify certain information contained in the above named IFB.

In most instances the submitted questions and the Department's responses merely serve to clarify the existing requirements of the IFB. Sometimes, however, in submitting questions potential Offerors may make statements or express interpretations of contract requirements that may be inconsistent with the Department's intent. To the extent that the Department recognizes such an incorrect interpretation, the provided answer will note that the interpretation is erroneous and either state that the question is moot once the correct interpretation is explained or provide the answer based upon the correct interpretation.

No provided answer to a question may in and of itself change any requirement of the IFB. If, based upon a submitted question, it is determined that any portion of the IFB should be changed, the actual change may only be implemented via a formal amendment to the IFB. In this situation, the answer provided will reference the amendment which contains the IFB change.

The statements and interpretations of contract requirements which are stated in the following questions of potential Offerors are not binding on the State, unless the State expressly amends the IFB. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

10. How much was the value of the last contract for Account Verification Services?

RESPONSE: The value of the last Contract for the one-year 2013 Account Verification Services Contract was not to exceed \$80,000. Contract and IFB documents from the 2013 Account Verification Services solicitation are posted on the Department of Budget and

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Management Contract Library website here:

<http://dbm.maryland.gov/contractors/contractlibrary/Pages/AccountVerificationSvcs.aspx>

11. Can the terms and conditions in the IFB and other documents issued by the State in connection with the IFB (collectively referred to as the "IFB Documents") be complemented and modified by the terms and conditions by a bidder's credentialing and licensing agreements? By receiving the data, will State certify that it has sufficient rights to use such data?

RESPONSE: Per IFB Section 3.2.5, the Department will accept licensing and credentialing provisions of the apparent successful bidder after bid closing so long as those provisions do not conflict with the terms and conditions of the IFB, Contract, other IFB attachments, applicable law, or prevailing practices. However, the Department will not review any bidder's respective licensing and credentialing provisions before bid closing to avoid the necessary alternative of negotiating the licensing and credentialing provisions of all potential bidders before bid closing.

The Department will consider exceptions to the State Contract until bid closing. After bid closing, the Department will not revise the State's Contract, and it will accept only those licensing or credentialing provisions of the apparent successful bidder that are consistent with the Contract terms as of bid closing. Consequently, in order to facilitate the review process, bidders should raise any possible conflicts between their provisions and the State's Contract by taking exception to any State Contract, IFB, or IFB attachment provision that may conflict with their licensing and credentialing provisions before bid closing, but refrain from submitting their licensing and credentialing documents for review until after bid closing.

12. Will the Department include the following language in the IFB or Contract: "Due to the nature of the origin of public record information, the public records and commercially available data sources used in reports may contain errors. Source data is sometimes reported or entered inaccurately, processed poorly or incorrectly, and is generally not free from defect. This product or service aggregates and reports data, as provided by the public records and commercially available data sources, and is not the source of the data, nor is it a comprehensive compilation of the data."?

RESPONSE: Section 3.2.5.2 of the IFB notes that, if necessary as part of the apparent successful bidder's credentialing process, the Department may agree to the bidder's licensing and proprietary rights provisions "including provisions to allow the data to be provided 'as is'." Given that the IFB contains authorization for an 'as is' data provision to be contained in the bidder's licensing and credentialing provisions, the Department finds it unnecessary to include another such provision in the IFB or Contract.

13. Will the Department replace the first sentence of the Scope of Work Section 3.9(vi), IFB page 25, with the following: "The Contractor shall provide on a yearly basis to the Department's Contract Manager the final SOC 2 Report, a documented corrective action plan...."?

RESPONSE: See Amendment 3 Item 1 for changes to IFB Section 3.9 (v and vi). In the event the Contract Monitor requests a corrective action plan, the IFB requires the Contractor to address each audit finding by providing a description of what action the Contractor may or may not take and an explanation for this decision.

Remember bids are due on July 22, 2014, no later than 12:00 p.m. If there are questions concerning this solicitation, please contact me via e-mail at rachel.hershey@maryland.gov or call me at (410) 260-7681 as soon as possible.

Date Issued: 06/26/2014

By:

<signed>
Rachel Hershey
Procurement Officer