



LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lieutenant Governor

DAVID R. BRINKLEY
Secretary

MARC L. NICOLE
Deputy Secretary

**PRINTING AND DISTRIBUTION OF OPEN ENROLLMENT AND
REGULATORY HEALTH BENEFITS MATERIALS FOR
STATE OF MARYLAND EMPLOYEES AND RETIREES**

IFB No. F10B8400030

**Q&A #4
ISSUED JANUARY 17, 2018**

Ladies/Gentlemen:

This List of Questions and Answers #4, question 66, is being issued to clarify certain information contained in the above named IFB.

Question 66: I saw that on page 25, 4.19 any exceptions must be submitted prior to Bid submission. Will the Department accept the following exceptions?

For purposes of this [IFB] we have provided edits/objections to only the following sections: Insurance (section 3.1), Security (Section 3.2), Business Associate Agreement (Attachment I), Contract (Attachment K) Rights to Records (section 5), Exclusive Use (Section 6), Patents, Copyrights, and Intellectual Property (Section 7), Indemnification (Section 10), Liability (Section 29), Parent Company Guarantee (Section 36), Warranty (section 37). If awarded the work, Bidder reserves the right to negotiate reasonable modifications for the remaining terms of the agreement and shall undertake such negotiations in good faith. The absence of modifications to the sections, other than those referenced above, does not indicate Bidder's consent or agreement to any such sections as drafted by the Department of Budget and Management.

Answer: As stated in Section 4.19, "Changes to the solicitation, including the Bid Form or Contract, made by the Bidder may result in Bid rejection." At this time, DBM will not consider or accept any edits/objections to the IFB or the attachments thereto, including Attachment K – Contract. Any bids containing exceptions or changes may be rejected as non-responsive. Additionally, DBM will not agree to post-award negotiations of the terms of Attachment K – Contract.