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QUESTIONS AND RESPONSES # 2
PROJECT NO. 050B8400001
Statewide Foreign Language Interpretation and Translation Services
March 29th, 2018 **AMENDED April 5th, 2018**

Ladies/Gentlemen:

This **AMENDED** List of Questions and Responses #2, questions #76 through #93, **is being re-issued with new language in Responses 86 and 93** to clarify certain information contained in the above named RFP. 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 RFP. 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. New language has been double underlined and marked in bold (ex. **new language**) and language deleted has been marked with a strikethrough (ex. ~~language deleted~~).

76. In section 5.4.2.7 you state that we must list letters of intent and resumes of proposed contractors. We have hundreds of sub-contracted translators that may be used on this contract based on the various languages and skills you are looking for. Do you want a letter of intent and resume for each? Can we just submit some sample translator resumes of key translators we work with?

RESPONSE 76: The State does not want a resume and a letter of intent for each person who will work under this contract. Section 5.4.2.7 only asks for the resumes of Key Personnel. Key Personnel are defined in Appendix I, item 19 of this RFP as "All personnel identified in the solicitation or personnel identified by the Offeror in its Proposal that are essential to the work being performed under the Contract." This means that not all translators will be Key Personnel. Typically a firm will only propose a small handful of individuals as Key Personnel, usually the persons who are in charge of managing the State contract, and perhaps one or two executives. See RFP section 3.10 for details.

77. In RFP Section 2.3.1.4 Prioritization of calls, it is quite technically challenging for a Telephone Interpreter Provider to be able to prioritize calls and may be challenging for an MBE or VOSBE to support this request. Can you explain more about prioritization? What departments /agencies may request this? What types of calls? Do you have historical data on the type and volume of prioritized calls? How would you want these calls prioritized?

RESPONSE 77: Section 2.3.1.4 of the RFP creates a requirement that Offerors prioritize calls. Time sensitive and/or emergency calls must be prioritized. Any using agency/entity may have a need for time sensitive or emergency interpretation services. It is expected that all Offerors will include in their technical proposals a response to 2.3.1.4 with an explanation of how they will prioritize calls. No historical data specific to 2.3.1.4 is tracked.

78. In RFP Section 2.3.6 Interpreter Procedure Manual: Can you provide more details on what is expected for Telephone Interpreting? Do you have a copy of an existing Interpreter Procedure Manual that we can review?

RESPONSE 78: The State will not provide our incumbent vendor's Interpreter Procedure Manual, as that material is proprietary information. See also Response 25 in Questions and Responses #1.

79. In RFP Section 2.3.7 Training and Certification / Quality Assurance Procedures: Can you provide a copy of the Agency-specific training or certification requirements?

RESPONSE 79: This information is submitted by each Offeror to fulfill the requirements of RFP Section 2.3.7. Each Offeror's training and certification process and materials will be evaluated as part of its Technical Proposal.

80. In RFP Section 3.2.3.1 Information Security Requirements, Number 4 - Conduct regular external vulnerability testing: This kind of testing is technically challenging. How is it possible for an MBE or VOSBE to support this request? And is it required for Telephone Interpreting Services?

RESPONSE 80: Section 3.2.3.1(4) of the RFP states: "Where website hosting or Internet access is the service provided or part of the service provided, the Contractor and any relevant subcontractor(s) shall conduct regular external vulnerability testing." Website hosting and internet access are not within the required scope of the services being solicited by this RFP.

81. In RFP Section 3.2.3.1 Information Security Requirements, Number 8 - Ensure State data under this service is not processed, transferred, or stored outside of the United States. Is there a requirement that all services be provided by US-based Interpreters?

RESPONSE 81: See RFP Section 2.5.1.2, and Responses 1, 38, and 75 in Questions and Responses #1.

82. In RFP Section 3.8 Liquidated Damages. Can you explain how Liquidated Damages work for INA's (interpreter not available), Scheduled Calls, or other Telephone Interpreting Services?

RESPONSE 82: Section 3.8A provides that the Contractor's inability to provide Telephone Interpretation services for Core Languages within thirty (30) minutes of the State's sending of the request will result in the assessment of liquidated damages. The amount of the Liquidated Damages is equal to the Contractor's Per Minute rate times the initial thirty (30) minutes of call waiting time for a Requesting Agency/Entity to be connected with an interpreter.

83. Does the Living Wage Requirement apply to independently contracted interpreters?

RESPONSE 83: No. The Living Wage requirements of this RFP do not apply to independent contractors.

84. In RFP Section 3.11 State of Maryland Wiretapping Law. Can the provider monitor calls for quality control purposes?

RESPONSE 84: Yes, calls may be monitored with the permission of all participants. See Maryland Courts & Judicial Proceedings Article §10-402 and Criminal Law Article §9-602(a-b) of the Maryland Annotated Code.

85. *We acknowledge that MBE providers are available for Written Translation and Face to Face (in-person) Interpreting, but we are having difficulty identifying an MBE provider that can support Telephone Interpreting. Could you please identify MBE providers that can provide Telephone Interpreting Services?*

RESPONSE 85: A searchable directory of registered Maryland MBEs is available online at: <https://mbe.mdot.maryland.gov/directory/>
Also see Response 9 in Questions and Responses #1.

86. *Does the requirement to NOT send files outside of the United States for translation imply that all data servers used for this contract (file shares, project management systems, translation management systems, interpreter management booking web application systems, mail servers, web servers, etc.) must be located in the United States, or merely that client files must not leave our secure network? What information do we need to supply to demonstrate compliance? Are there any exceptions for trusted multinational partners?*

RESPONSE 86: The State requires that all State data be stored on servers, file shares, project management systems, translation management systems, interpreter management booking web application systems, mail servers, web servers, etc. be located in the **Continental** United States. The State reserves the right to inspect the Contractor's information technology controls and procedures during the period of performance. See RFP Sections 3.2.3.1(3) and 3.2.3.1(7). The State follows NIST Special Publication Standard 500-293.
<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.500-293.pdf>
There is no exception to this Statewide policy. **See Amendment 4, issued April 5, 2018.**

87. *Are onsite interpreters to be "continuously available" e.g. 3 a.m.?*

RESPONSE 87: Yes. The RFP defines "continuously available" as 24-hours per day, 7 days per week, 365 days per year basis (366 days in a leap year).

88. *Is interpretation equipment billable when required? Is interpretation equipment technician support time billable?*

RESPONSE 88: No, neither interpretation equipment nor interpretation equipment technician support time is billable. Services are priced per hour based on fully loaded rates that include all costs/expenses associated with the provision of services as required by the RFP. See Attachment B-1, financial proposal instructions, letter (I) and Attachment B-2, Pricing Instruction Form. Simultaneous Interpretation Services are priced per year. The hourly fee is a fixed rate, all-inclusive price that includes all required equipment.

89. *The RFP does not mention a requirement for Translation/Editing/Proofreading (TEP) or Desktop Publishing (DTP) processes – is the pricing to include translation only, or should it include TEP and Project Management? Will written translation documents ever require DTP if they don't require editing and proofreading?*

RESPONSE 89: See the Responses to Questions 27 and 62 in Questions and Responses #1.

90. *As an MBE, if we submit a proposal as the main contractor for written translation services only, can we still appear as a subcontractor on other proposals submitted by a non-MBE main contractor? If so, should we only appear as a subcontractor for face-to-face and over-the-phone*

interpretation, since we are submitting as a main contractor for written translation services?

RESPONSE 90: Yes, an MBE that chooses to propose as a prime Contractor may also participate as a subcontractor by entering into agreements with other prime contractors. See also RFP section 4.26 and MBE Attachment D-1A, section 5, Guidelines Regarding MBE Prime Self-Performance.

91. As an MBE, do we still need to have another MBE as part of our proposal?

RESPONSE 91: An MBE Prime contractor may use its own resources to fulfill up to 50% of the overall MBE participation goal so long as it is certified to provide the goods and services it proposes. This means that an MBE Prime could self-perform 5% of the overall 10% MBE participation goal and would be required to subcontract the remaining 5% to other MDOT certified MBEs or request a waiver if after making good faith outreach efforts prior to proposal submission it is unable to meet the balance of the goal. The MBE participation goal and self-performing percentage would apply to the total contract percentage commitment for each service category. See MBE Attachments D-1A, Part 1 Instructions and D-1B Waiver Guidance. See Response 6 in Questions and Responses #1.

92. Would detailed summary biographies for all key personnel satisfy the requirement to provide CVs?

RESPONSE 92: No. RFP Sections 3.10 and 5.4.2.7 require that a resume be submitted for all Key Personnel. It is acceptable to edit the resumes submitted as part of a proposal so that sensitive personal information, such as home addresses and social security numbers are removed. See Response to Question 76 above.

93. Is the telephone call center required to be in the US?

RESPONSE 93: ~~There is no contract requirement that a call center be located in the United States for Service Category I.~~ Section 2.3.1.1 states that a single, nationwide, toll free 800 number within the United States must be provided. **Location limitations require that call centers be located in the Continental United States. See Amendment 4, issued April 5, 2018.**

Remember proposals are due on April 11, 2018 no later than 2:00 p.m. If there are questions concerning this solicitation, please contact me via e-mail at christopher.hautala@maryland.gov or call me at (410) 260-4081.

Date Issued: 3/29/2018

Date Amended: 4/5/2018

By:

Chris Hautala
Procurement Officer