



COMMONWEALTH OF PENNSYLVANIA  
Governor's Office of Budget and Administration  
Bureau of Infrastructure and Operations  
Network Administration  
1 Technology Park  
Harrisburg, PA 17110-2913

Dear Contractor:

June 29, 2005

You are invited to submit a proposal to the Commonwealth of Pennsylvania, Office of Budget and Administration, Bureau of Infrastructure and Operations, for furnishing, installing, and maintaining related telecommunications systems that will provide payphone service for the Commonwealth of Pennsylvania, control inmate calling with monitoring and recording from the state correctional institutions. This invitation letter and the request for proposal (RFP) are posted to the Department of General Services website.

Former RFP number 2003-081-011 was issued and not awarded and is now being re-issued. The Commonwealth is using the same RFP number 2005-081-011, with an updated year, changes made in specifications, and dividing the RFP into two (2) sections: Section 1 Coin/card Public Payphones and Section 2 Inmate Telephone System. Contractors may bid on either Section 1 or Section 2 or both Sections. Sections 1 and 2 may be evaluated and awarded separately or evaluated and awarded together depending on what is determined to be in the best interest of the Commonwealth.

A pre-proposal conference will be conducted on Tuesday, August 2, 2005 @ 9:00 am. The location is Commonwealth Technology Center, Harrisburg State Hospital Grounds, 1 Technology Park, Conference Rooms 1 and 2, Harrisburg, Pennsylvania 17110-2913. Following the pre-proposal conference will be a site visit to view the present inmate control system (section 2 of the RFP) that will be held at the Department of Corrections Central Office Building, 2520 Lisburn Road, Camp Hill, Pennsylvania 17001-0598. Directions to both the pre-proposal conference and the site visit are on the following page.

It is recommended that Contractors expecting to respond to this RFP attend the conference. It is also important that each Contractor who expects to respond prepare questions after reading and analyzing the RFP. Please submit questions in writing to the Office of Administration identified below by close of business 5:00 pm Friday, July 22, 2005. An Addendum containing the official responses to the questions addressed at the pre-proposal conference will be posted to the Department of General Services (DGS) website <http://www.dgsapp.state.pa.us/comod/main.asp> not later than five (5) working days after the pre-proposal conference. If additional addendums are issued they also will be posted to the DGS website.

This RFP covers the provision of payphone service for all agencies under the jurisdiction of the Governor, other state affiliated organizations if they chose to participate, and inmate telephone service at the state correctional institutions to include inmate call control and inmate call monitoring and recording systems. To insure that maximum time can be spent on the important issues, it is suggested the Contractors read and understand the total requirement prior to the pre-proposal conference.

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Proposals must be received at the Department of Corrections Central Office Building, Support Services Section, 2520 Lisburn Road, Camp Hill, Pennsylvania 17001-0598 on or before 1:00PM, Wednesday, September 28, 2005.

Questions must be sent by email directed to the Office of Budget and Administration:

Commonwealth of Pennsylvania  
Governor's Office of Budget and Administration  
Bureau of Infrastructure and Operations – Network Administration  
Georgia A. Baer  
1 Technology Park  
Harrisburg, PA 17110-2913  
Phone: (717) 772-8124  
Fax: (717) 772-8018  
Email: [gbaer@state.pa.us](mailto:gbaer@state.pa.us)

Sincerely,  
Valerie L. Long,  
Network Support Manger

Enclosure

CC: Georgia A. Baer

Directions to the pre-proposal conference at 1 Technology Park, Conference Rooms 1 and 2, Harrisburg, Pennsylvania 17110-2913, are below.

| From Interstate 81:  | From PA Turnpike:  | From Route 322 (East):  |
|--|--|---|
| <ul style="list-style-type: none"> <li>• Take I-81 to Exit 23, Cameron Street.</li> <li>• Go through the first traffic light - stay in left lane.</li> <li>• Next light at the PA Department of Agriculture make a left into the Harrisburg State Hospital (Azalea Road).</li> </ul> <p style="text-align: center;"><b>NOTE: THE MAIN ENTRANCE TO THE HARRISBURG STATE HOSPITAL IS DIRECTLY ACROSS FROM THE ENTRANCE TO THE FARM SHOW COMPLEX.</b></p> <ul style="list-style-type: none"> <li>• Go straight on Azalea Road to the top of the hill and make the first left onto North Circle Drive.</li> <li>• Approximately 500 feet turn left and go to the red brick building at the top of the hill. This is the Commonwealth Technology Center.</li> </ul> | <ul style="list-style-type: none"> <li>• Take the PA Turnpike to Exit 19.</li> <li>• As you proceed through the tollbooth, you will get onto Interstate 283 North.</li> <li>• Follow I-283 to its end in a 3-way split.</li> <li>• Take the middle lane of the split, I-83 North &amp; 322 West.</li> <li>• Follow I-83 North to its end in a 2-way split.</li> <li>• Take the left lane for I-81 South (<i>towards Carlisle</i>).</li> <li>• Follow I-81 South to Exit 23, Cameron Street.</li> <li>• Follow the directions for I-81, (<i>at left</i>) for Cameron Street to the Commonwealth Technology Center.</li> </ul> | <ul style="list-style-type: none"> <li>• Follow Route 322 East.</li> <li>• Continue on Route 322 East as you cross the confluence of the Susquehanna and Juniata Rivers.</li> <li>• Follow Route 322/22 East. <b>DO NOT GET ON I-81 NORTH OR SOUTH.</b></li> <li>• Route 322/22 East will eventually turn into Cameron Street.</li> <li>• Follow the directions for I-81 above for Cameron Street to the Commonwealth Technology Center.</li> </ul> |

Directions to the Site Visit Section 2 of the RFP: The site visit held directly after the pre-proposal conference will be conducted to view the present inmate control system at the Department of Corrections (DOC) Central Office, 2520 Lisburn Road, Camp Hill, Pennsylvania 17001-0598. Directions to the site visit are below. Please meet in the DOC lobby for registration for the site visit. The room where the site visit will be held is very small so Contractors will be divided into small groups and escorted to the ground floor where Contractors can view the operation of the DOC Central Security Office.

Directions to Department of Corrections Central Office, 2520 Lisburn Road, Camp Hill, Pennsylvania 17001-0598

From Harrisburg State Hospital Grounds:

- Turn left onto Cameron Street
- At first light turn right onto Maclay Street
- Follow Maclay Street to the river
- Turn left onto Front Street
- Follow Front Street to Forster Street
- Turn right onto Harvey Taylor Bridge
- Follow road through Camp Hill
- Go past Camp Hill Shopping Center and continue south on US 15
- Take first exit after Bon Ton Department Store
- Slate Hill Road Exit
- Turn right at stop sign and continue south on Slate Hill Road
- Continue through red light, across railroad tracks to red light at top of hill
- Turn left at red light onto Lisburn Road
- You will see SCL Camp Hill on your left as you come down the hill
- Enter first parking lot on left and park
- Walk to the front of the three-story brick building
- Enter Building and sign in

RFP #2005-081-011

**Request for Proposal (RFP)**

**For Payphone and Inmate Telephone Services**

**Office of Administration and Department of Corrections**

**Request for Proposal (RFP) Number 2005-081-011**

**Section 1 Coin/Card Public Payphone Services**

**Section 2 Inmate Telephone Services**

**Date of Issuance June 29, 2005**

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**Section 1 Coin/Card Public Telephone Services**

Part 1

General Information For The Contractors

**Part 1**  
**General Information For The Contractors**

1.1-1. Purpose: This Request For Proposals (RFP) provides interested Contractors with sufficient information to adequately prepare and submit proposals for furnishing, installing, and maintaining public payphones to provide payphone service for the Commonwealth of Pennsylvania (Commonwealth). The Commonwealth is seeking payphone and inmate phone services. This RFP is structured in such a way to allow a proposer to propose on both systems or on either. The preference is to award one contract to a single proposer, but the Commonwealth reserves the right to award separate contracts for the services, if it determines that it is in its best interest to do so. Section 1 relates to payphones. Section 2 relates to inmates phones. The Commonwealth is seeking an innovative solution for the provision of these services. The RFP sets out the minimum requirements related to both systems.

1.1-2. Issuing Office (Office of Administration): This RFP is issued for the Commonwealth by the Office of Administration, Bureau of Infrastructure and Operations. The Office of Administration is the sole point of contact in the Commonwealth for this RFP. Any and all questions should be directed to:

Georgia A Baer,  
Contract Administrator  
Governor's Office of Administration  
Bureau of Infrastructure and Operations – Network Administration  
Telephone No. (717) 772-8124  
Facsimile No. (717) 772-8018  
Email: gbaer@state.pa.us

1.1-3. Scope: This RFP contains instructions governing the proposals to be submitted and materials to be included therein; requirements which must be met to be eligible for consideration; description of the required systems and the general evaluation criteria; Contractor's responsibilities; and other requirements to be met by each Contractor submitting a proposal.

1.1-4. Problem Statement:

- a. Purpose: The Commonwealth wants to ensure that highly-reliable, extensively available, public telephone service is provided to its citizens, taxpayers, tourists, visitors, and others who want to place a call from a Commonwealth-owned or leased property. The purpose of this RFP is to secure these services for all coin/card telephones located on Commonwealth-owned or leased property for agencies under the

Governor's jurisdiction. Other governmental agencies not under the Governor's jurisdiction may elect to use this contract.

The Commonwealth of Pennsylvania has three (3) major objectives that must be met:

1. To ensure the provision of high-quality service for the users of public telephone service at Commonwealth locations.
2. To maximize the economic return to the Commonwealth and its agencies from the coin/card pay telephones while recognizing the Contractor costs of providing the services.
3. To provide dependable, well-maintained public coin/card telephone service to Commonwealth clients, consumers, and general telephone users at Commonwealth locations.

b. Summary of Scope of Work: The Contractor shall be responsible for furnishing, installing, and maintaining payphone service for the Commonwealth. Contractor should recognize that the various Commonwealth agencies have unique needs and special environments that must be served. For example, state hospitals may require special placement and features in order to provide service to their patients and clients. Ownership of equipment at the end of the contract term by the Commonwealth includes shelves and booths as indicated on Attachment 1 Payphones and Enclosures in Place and TTYs as indicated on Attachment 2 Public Payphone Station Inventory.

1. System A: Coin/Card Telephone Service. System A is comprised of all the coin/card telephones at locations throughout the Commonwealth under the Governor's jurisdiction as well as some other governmental locations. Payphones proposed in response this RFP must be equal to or better than the specification listed in Attachment 1 Payphones and Enclosures in Place. Attachment 2 is the inventory of public payphones as reported by Verizon, the incumbent prime Contractor. These inventoried stations are to be used as the basis for the number of telephones to be included in the Contractors' response to this RFP. However, it may be expected that other stations may be added in the future as new stations are installed and as other existing stations are located and inventoried. Stations shall be added under the same contractual provisions. In addition, with the concurrence of the Office of Administration, more locations could be added to the contract by other governmental agencies not under the Governor's jurisdiction, for example already added are Pennsylvania Turnpike and Shippensburg University. Each response to this RFP must fully explain what the Contractor is proposing at each location. Section 1.5-A delineates the technical requirements for these coin/card telephone services. The requirements are to be considered minimum and must be included in any

proposal, regardless of what other services the Contractor includes in its proposal.

2. All coin/card telephones shall be installed using a procedure such that there shall be no interruption of existing public payphone service. The installation schedule must be in accordance with Attachment 3 of this RFP. Each responding Contractor must submit a detailed cutover schedule with its proposal, including time frames for the various stages of installation, including tests and acceptance by the using Commonwealth agencies.
- 1.1-5. Rejection Of Proposals: The Commonwealth reserves the right to reject any and all proposals received as a result of this request, or to negotiate separately with competing Contractors.
- 1.1-6. Incurring Costs: The Commonwealth is not liable for any costs incurred by Contractors, in preparing response to this RFP.
- 1.1-7. Pre-proposal Conference: A pre-proposal conference will be held on the date and at the place specified in the cover letter. The DOC-SCI site visit is only for Section 2 of this RFP that will follow the pre-proposal conference. The purpose of this pre-proposal conference is to clarify any points in the RFP, which may not have been clearly understood. The Office of Administration must receive questions in writing at least five (5) business days prior to the meeting to ensure sufficient analysis can be made before an answer is supplied. The pre-proposal conference is for information only. Answers furnished during the conference are not official until verified, in writing, by the Office of Administration. All questions and answers will be issued as an addendum to and become part of this RFP and posted to the Department of General Services website [www.dgsapp.state.pa.us/comod/main.asp](http://www.dgsapp.state.pa.us/comod/main.asp).
- 1.1-8. Amendment To The RFP: If it becomes necessary to revise any part of this RFP, an amendment shall be posted to the Department of General Services website [www.dgsapp.state.pa.us/comod/main.asp](http://www.dgsapp.state.pa.us/comod/main.asp).
- 1.1-9. Response Date: To be considered, proposals must arrive at or before the time and date specified in the cover letter at Department of Corrections Central Office Building, Support Services Section, 2520 Lisburn Road, Camp Hill, Pennsylvania 17001-0598. Contractors mailing proposals should allow sufficient mail delivery time to ensure timely receipt of their proposals. Late proposals will not be considered regardless of the reason for the proposal being late.
- 1.1-10. Proposals: To be considered, Contractors must submit a complete response to this RFP, using the format provided in PART 2. A Contractor may make no other distribution of proposals. An official authorized to bind the Contractor to its

provisions must sign the proposal. For this RFP, the proposal must remain valid until the contract is fully executed by the Commonwealth. The contents of the proposal of the selected Contractor become contractual obligations if a contract is entered into.

- 1.1-11. Disadvantaged Business Information: The Commonwealth encourages participation by small disadvantaged businesses as prime Contractors, joint ventures, and subcontractors/suppliers and by socially disadvantaged businesses as prime Contractors.

Small Disadvantaged Businesses are small businesses that are owned or controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages. The term includes: 1) Department of General Services Bureau of Minority and Women Business Opportunities (BMWBO)-certified minority businesses enterprises (MBEs) and women business enterprises (WBEs) that qualify as small businesses and 2) United States Small Business Administration-certified Small Disadvantaged Businesses or 8(a) small disadvantaged business concerns.

Small businesses are businesses in the United States that are independently owned, are not dominant in their field of operation, employ no more than 100 persons and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

Socially disadvantaged businesses are businesses in the United States that BMWBO determines are owned or controlled by a majority of persons, not limited to members of minority groups, who are subject to racial or ethnic prejudice or cultural bias, but which do not qualify as small businesses. In order for a business to qualify as "socially disadvantaged", the offeror must include in its proposal clear and convincing evidence to establish that the business has personally suffered racial or ethnic prejudice or cultural bias stemming from the business person's color, ethnic origin or gender.

Questions regarding this Program can be directed to:

Department of General Services  
Bureau of Minority and Women Business Opportunities  
Room 611, North Office Building  
Harrisburg, PA 17125  
[gs-bmwbo@state.pa.us](mailto:gs-bmwbo@state.pa.us)  
Phone: (717) 787-6708  
FAX: (717) 772-0021

Program information and a database of BMWBO-certified minority- and women-owned businesses can be accessed at [www.dgs.state.pa.us](http://www.dgs.state.pa.us), DGS Keyword: BMWBO. The federal vendor database can be accessed at [www.ccr.gov](http://www.ccr.gov) by clicking on Dynamic Small Business Search (certified companies are so indicated).

- 1.1-12. Information Concerning Small Businesses in Enterprise Zones: The Commonwealth of Pennsylvania encourages participation by small businesses, whose primary or headquarters facility is physically located in areas designated by CWOPA as *Designated Enterprise Zones*, as prime Contractors, joint ventures and subcontractors/suppliers.

Small businesses are businesses in the United States that are independently owned, are not dominant in their field of operation, employ no more than 100 persons and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

There is no database or directory of small business located in Designated Enterprise Zones. Information on the location of *Designated Enterprise Zones* can be obtained by contacting:

Aldona M. Kartorie  
Center for Community Building  
PA Department of Community and Economic Development  
4<sup>th</sup> Floor Keystone Building  
400 North Street  
Harrisburg, PA 17120-0225  
Phone (717) 720-7409  
Fax (717) 787-4088  
Email [akartorie@state.pa.us](mailto:akartorie@state.pa.us)

- 1.1-13. Economy Preparation Of Proposals: Proposals should be prepared simply and economically, providing a straightforward, concise description of the Contractor's ability to meet the requirements of the RFP.
- 1.1-14. Oral Presentation: Contractors that submit proposals may be required to make an oral presentation of their proposal to the Commonwealth. Such presentations provide an opportunity for Contractors to clarify their proposals to ensure thorough mutual understanding. The Office of Administration will schedule these presentations.
- 1.1-15. Pre-Award Performance Demonstration: At the option of the Office of Administration, qualified Contractors will be required to demonstrate the functional capabilities the equipment proposed for System A prior to final

selection. Qualified Contractors are those that have met all mandatory requirements as set forth in Part 3. The proposed equipment and software must be in production and installed and in use by one (1) or more customers of the Contractor. Refer Part 2 Tab 6 paragraph b for a more detailed description of the demonstration phase of the evaluation. The Office of Administration will not be responsible for any cost incurred by a Contractor for such a demonstration(s). A minimum of six (6) and not more than seven (7) Commonwealth of Pennsylvania representatives will be a part of the team reviewing the demonstration. The Contractor shall be responsible for reimbursing the Commonwealth for the travel expenses of the representatives of the Commonwealth to attend the demonstration(s).

- 1.1-16. Prime Contractor Responsibilities: The selected Contractor must assume responsibility for all services offered in its proposal whether or not it produces them. Further, the Commonwealth will consider the Contractor to be the sole point of contact with regard to contractual matters. Any services provided by a subcontractor must be identified in the Contractor's proposal. All subcontractor(s) must be in the RFP prior to RFP submission.

The selected Contractor shall be the sole contact with the Commonwealth for all matters covered by the contract and shall have submitted a single proposal in which the following are participants:

Single interLATA carrier for System A; one or more Contractors providing local and intraLATA call service for System A; one or more Contractors providing statewide payphone (coin/card) telephone service for System A.

- 1.1-17. Disclosure Of Proposal Contents: Proposals will be held in confidence and will not be revealed or discussed with competitors, unless disclosure is required to be made (i) under the provisions of any Commonwealth or United States statute or regulation; or (ii) by rule or order of any court of competent jurisdiction. If a contract is executed, however, the successful proposal submitted in response to this RFP shall be subject to disclosure. All material submitted with the proposal becomes the property of the Commonwealth of Pennsylvania and may be returned only at the Commonwealth's option. Proposals submitted to the Commonwealth may be reviewed and evaluated by any person other than competing Contractors at the discretion of the Commonwealth. The Commonwealth has the right to use any or all ideas presented in any proposal. Selection or rejection of the proposal does not affect this right.

- 1.1-18. Standard Contract: If a contract is entered into as a result of this RFP, it will be a firm commission percent contract and will include the terms and conditions contained in Part 6 of this RFP that is located in Section 2 Inmate Telephone Services Part 6. The RFP and the successful proposal will become part of the contract.

- 1.1-19. Negotiations: Negotiations may be undertaken with Contractors whose proposals show them to be qualified, responsible, and capable of performing the work. After negotiations, if the selected Contractor fails or refuses to properly execute the contract or furnish the required bonds(s) (see Part 6-33. Performance Bond) and return them to the Office of Administration within fifteen (15) working days after receipt of the written notification of award and the contract documents, the Office of Administration may, at its option, discontinue communications with the Contractor and commence contract negotiations with another Contractor who submitted a proposal or reject all proposals.
- 1.1-20. System Design Changes: The Office of Administration reserves the right to negotiate system design changes after award if the Office of Administration determines that changes are in the best interest of the Commonwealth and do not change the scope of the proposal.
- 1.1-21. Debriefing Conferences: Contractors whose proposals are not selected will be notified of the name of the selected Contractor and will be given the opportunity to be debriefed upon request. The Office of Administration will schedule the time and location of the debriefing. Each Contractor will be limited to two (2) participants at the debriefing conference. The Contractor will not be compared with other Contractors. Contractor's exercise of the opportunity to be debriefed shall not constitute the filing of a protest under Section 1.1-32 hereof.
- 1.1-22. News Releases: News releases pertaining to this project may not be made without prior Commonwealth approval, and then only in coordination with the Office of Administration.
- 1.1-23. Commission Data: All commission data for the proposal MUST be submitted in a separate sealed envelope, marked "Commission Data," within the sealed proposal and kept separate from the technical proposal. Failure to meet this requirement will result in automatic disqualification of the proposal. Since this is a "no cost" contract, no cost data is required to be submitted as part of this RFP.
- 1.1-24. Subcontracting: Each Contractor must provide a list of all proposed subcontractors with its proposals. The Contractor shall not enter into subcontracts for any of the services contemplated under this contract without obtaining prior written approval from the Office of Administration. The Commonwealth reserves the right to approve or reject, in writing any subcontractor. Acceptance of a proposal is approval of any subcontractors listed in the proposal.
- 1.1-25. Restriction of Contact: Contractors contact is limited to the Office of Administration specified in Section 1.1-2. Any violation of this condition may be cause for the Commonwealth to reject a Contractor's proposal.

- 1.1-26. Best and Final Offers: To obtain best and final offers from Contractors whose proposals are determined by the Commonwealth, in its sole discretion, to be reasonably susceptible of being selected for award, the Commonwealth may (a) enter into discussion (b) schedule oral presentations; and/or request revised proposals.
- 1.1-27. Commonwealth Participation: Unless specifically noted in this section, Contractors must provide all services to complete the identified work. The Commonwealth will provide oversight to ensure that all aspects of any contract that may be entered into are satisfactorily performed.
- 1.1-28. Term of Contract: The term of the contract with the selected Contractor shall be for an initial term of five (5) years, with the Commonwealth retaining the option to renew the contract for two (2) additional one-year periods. The term of the contract will commence on the Effective Date. The Effective Date shall be fixed by the Office of Administration after the contract has been fully executed by the Contractor and by the Commonwealth and all approvals required by the Commonwealth have been obtained.
- 1.1-29. Withdrawal of Proposals: Proposals may be withdrawn by written notice from the Contractor which is received at the Office of Administration's address for proposal delivery prior to, but not after, the exact hour and date specified for proposal receipt.
- 1.1.30. Contractor's Representations and Authorizations: Each Contractor by submitting its proposal understands, represents, and acknowledges, that:
- a. All information provided by, and representations made by, the Contractor in the proposal is material and important and will be relied upon by the Office of Administration in awarding the contract(s). Any misstatement shall be treated as fraudulent concealment from the Office of Administration of the true facts relating to the submission of this proposal. A misrepresentation shall be punishable under 18 Pa. C.S. 4904.
  - b. The commission incentives of this proposal have been arrived at independently and without consultation, communication, or agreement with any other Contractor or potential Contractor.
  - c. The commissions incentives of the proposal have not been disclosed to any other firm or person who is a Contractor or potential Contractor, and they will not be disclosed on or before the proposal submission deadline specified in the cover letter to this RFP.

- d. No attempt has been made or will be made to induce any firm or person to refrain from submitting a proposal on this contract, or to submit a proposal higher than this proposal, or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.
- e. The proposal is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive proposal.
- f. To the best knowledge of the person signing the proposal for the Contractor, the Contractor, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last four (4) years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as disclosed by the Contractor in its proposal.
- g. To the best of the knowledge of the person signing the proposal for the Contractor and except as otherwise disclosed by the Contractor in its proposal, the Contractor has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the Contractor that is owed to the Commonwealth.
- h. The Contractor is not currently under suspension or debarment by the Commonwealth, or any other state, or the federal government, and if the Contractor cannot certify, then it shall submit along with the proposal a written explanation of why such certification cannot be made.
- i. The Contractor has not, under separate contract with the Office of Administration, made any recommendations to the Office of Administration concerning the need for the services described in the proposal or the specifications for the services described in the proposal.
- j. Each Contractor, by submitting its proposal, authorizes all Commonwealth agencies to release to the Commonwealth information related to liabilities to the Commonwealth including, but not limited to, taxes, unemployment compensation, and workers' compensation liabilities.

- k. Until the selected Contractor receives, a fully executed and approved written contract from the Office of Administration there is no legal and valid contract, in law or in equity, and the Contractor should not begin to perform.

1.1-31. Notification of Selection: The responsible Contractor whose proposal is determined to be the most advantageous to the Commonwealth, as determined by the Office of Administration, after taking into consideration all of the evaluation factors, will be notified in writing of its selection for negotiation.

1.1-32. RFP Protest Procedure:

a. **Who May File the Protest.** Any actual or prospective Contractor who is aggrieved in connection with the solicitation or award of the contract may file a protest.

b. **Time and Place for Filing.**

1. A protest or improprieties in solicitations must be filed by prospective Contractors within seven (7) days after the protesting Contractor knows or should have known of the facts giving rise to the protest, but in no event later than the proposal submission deadline specified in the cover letter to the RFP. Contractors who submit a proposal may file a protest within seven (7) days after the protesting Contractor knows or should have known of the facts giving rise to the protest. The date of filing is the date of receipt of the protest.
2. The Office of Administration for good cause may consider any untimely protest.
3. A protest must be in writing and filed with the Office of Administration.

c. **Notice of Protest.** The Office of Administration shall notify the successful Contractor, by registered mail, of the protest if award has been made. If the protest is received before award and substantial issues are raised by the protest, all Contractors who appear to have a substantial and reasonable prospect of winning the award shall be notified by registered mail, and may file their agreement/disagreement with the Office of Administration within three (3) days after receipt of notice of protest.

d. **Stay of Procurement.** The Office of Administration will immediately decide upon receipt of the protest whether or not the award of a

contract shall be delayed, or if the protest is timely received after the award, whether the performance of the contract should be suspended. The Office of Administration shall not proceed further with the solicitations or with the award of the contract and shall suspend performance under the contract, if awarded, unless: the head of the Office of Administration makes a written determination that the protest is clearly without merit or that award of the contract without delay is necessary to protect the substantial interests of the Commonwealth.

- e. **Procedures.** The Office of Administration may decide the merits of the protest on the written, submitted documentation. However, if the Office of Administration deems the protest to be complex, an informal conference may be held before reaching a decision.
- f. **Decision.** The Office of Administration shall promptly, but in no event later than 120 days from the filing of the protest, issue a written decision. The decision shall:

1. State the reason for the action taken.
2. Inform the protesting Contractor of its right to file an action in Commonwealth Court within fourteen (14) days of the receipt of the decision. A copy of the decision shall be delivered by registered mail to the protesting Contractor and any other person determined by the Office of Administration to be affected by the decision.

A copy of the decision shall be delivered by registered mail to the protesting Contractor and any other person determined by the Office of Administration to be affected by the decision.

1.1-33. Definitions: For the purpose of this RFP, the following definitions apply:

CLEC: Competitive Local Exchange Carrier - Approved by the PUC.

Essential Repairs: Those repairs required to keep the telephone station operational; not clean-up, telephone book, etc.

Gross Revenue: Total billed revenue earned from usage charges before any operational costs are deducted. Total revenue billed to customers before uncollectible, billing fees, or any other costs or payments to suppliers.

ILEC: Incumbent Local Exchange Carrier - Tariffed by the PUC.

InterLata Carrier: Any carrier registered with the Federal Communications Commission that is authorized to carry customer transmissions between Lata and interstate.

IntraLata: A geographic area or region, mandated by the FCC, in which the local operating telephone company provides local service, long distance service, and access to the entire telephone network. Telecommunications services that originate and end in the same Local Access and Transport Area.

International Calls: For System A, international is defined as calls worldwide.

Lata: Local Access and Transport Area.

North American Number Plan: The area includes all 50 states, Canada, and parts of the Caribbean Islands composed of the following with area codes: Bahamas (242), Bermuda (441), Barbados (246), British Virgin Islands (284), Puerto Rico (787), and the U.S Virgin Islands (340).

Project Manager: The person named by the Contractor who shall be responsible for coordination of all activities between the Office of Administration, using agencies, and the Contractor and the Contractor's subcontractors.

Provide means supply and install, unless otherwise stated.

Semi-Public Telephones: Those telephones that are noncommission producing but are coin/card stations supplied by the payphone service provider (PSP) at a monthly charge.

Telecommunications Management Officer (TMO): The individual designated by each Commonwealth using agency responsible for all telecommunications matters within that agency.

Text Telephone (TTY): TeleTYpewriter. A telephone terminal with a typewriter-like keyboard that permits hearing or speech-impaired persons to communicate by typing messages back and forth over telephone lines.

Turnkey System: A completely installed operational system furnished, installed, and maintained in accordance with all requirements of this RFP.

Using Agency (ies): The governmental using agency (ies), which will be the recipient and eventual user of the equipment and services identified in this RFP.

Part 2

Information Required From Contractors

**Part 2**  
**Information Required From Contractors**

1.2-1. Format for Required Information:

**This PART of the RFP provides the format and informational requirements for Contractors that are submitting a proposal for the Coin/Card Public Payphone.**

- a. The Commonwealth reserves the right to request additional information which, in the Commonwealth's opinion, is necessary to assure that the Contractor's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the contract.
- b. The Commonwealth may make such investigations as deemed necessary to determine the ability of the Contractor to perform the work, and the Contractor shall furnish to the Commonwealth all such information and data for this purpose as requested by the Commonwealth. The Commonwealth reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Contractor fails to satisfy the Commonwealth that such Contractor is properly qualified to carry out the obligations of the agreement and to complete the work specified.

To conform to the guidelines established by the Commonwealth for all procurements, the Contractor's proposal must:

- A. Place the official name of the firm submitting the proposal on the outside front cover of each copy of the proposal.
- B. Include the required format for the table of contents.
- C. Have major sections of the proposal identified with index tabs to identify them as they are named in the table of contents.
- D. Number each page consecutively from the beginning of the proposal.
- E. Include two (2) complete sets of the technical information and specifications for each item of equipment and software.
- F. Conform to the following table of contents:

Technical Proposal:

- Tab 1 Letter of Transmittal.
  - Tab 2 Mandatory Requirements from information provided in RFP Part 3 Mandatory Requirements.
  - Tab 3 Management Summary
  - Tab 4 Corporate Background and Experience
  - Tab 5 Project Staff and Key Personnel
  - Tab 6 Technical Requirements from information provided in RFP Part 5 Systems, 1.5-A System A: Coin/Card Public Telephone Service, 1.5-B Common Requirements, Attachment 3 Coin/Card Telephone Installation and Cutover Schedule, Attachment 5 Installed Equipment Form.
  - Tab 7 Training Requirements from information provided in RFP Section 1.5-C Training.
  - Tab 8 Maintenance Requirements from information provided in RFP Section 1.5-D Maintenance Requirements and Attachment 11.
  - Tab 9 Financial Requirements from information provided in the RFP Section 1.5-E Financial.
  - Tab 10 Objections and additions to standard terms and conditions for services Part 6.
2. Disadvantaged Business Information. This portion of the proposal must be identified as Disadvantaged Business Submittal and also bound and sealed separately.
  3. Commission Section. **Commission data must not be included in the Technical/Administrative Section. It must be in a separate, sealed envelope and so identified as commission cost data Attachment 13 A-C. If commission data is included with the technical submission, the proposal will be rejected.**

1.2-2. Packaging Of Proposals:

Eleven (11) copies of the Technical/Administrative Section, of which will be two (2) originals in binders and nine (9) copies in binders, and one (1) unbound copy.

One (1) CD electronic copy (Word or Excel) of all Technical/Administration Section. Do not include the Disadvantage Business Information or the commission information on this disk.

Three (3) copies of the separately bound Commission Section and one (1) CD electronic copy (Word or Excel) of the commission cost data must be **bound and sealed separately.**

One (1) copy of the Disadvantaged Business Information Participation Value Section of the proposal must be submitted separately from the Technical/Administration Section and it must be **bound and sealed and placed in a binder.**

1.2-3. Security Of Proposals: Proposals will be opened by authorized personnel of the Commonwealth of Pennsylvania.

1.2-4. Disadvantaged Business Information: To receive credit for being a Small Disadvantaged Business or a Socially Disadvantaged Business, entering into a joint venture agreement with a Small Disadvantaged Business or subcontracting with a Small Disadvantaged Business (including purchasing supplies and/or services through a purchase agreement), a company must include proof of Disadvantaged Business qualification in the Disadvantaged Business Submittal of the proposal:

a. Small Disadvantaged Businesses qualifying as a result of MBE/WBE certification from BMWBO must provide a photocopy of their BMWBO certificate.

b. Small Disadvantaged Businesses qualifying as a result of certification from the U.S. Small Business Administration as an 8(a) or small disadvantaged business must submit proof of Small Business Administration certification. The owners of such businesses must also submit proof of United States citizenship.

c. All companies claiming Small Disadvantaged Business status, whether as a result of BMWBO certification or Small Business Administration certification as an 8(a) or small disadvantaged business, and must attest to the fact that the business has 100 or fewer employees.

d. All companies claiming Small Disadvantaged Business status, whether as a result of BMWBO certification or Small Business Administration certification as an 8(a) or small disadvantaged business, must submit proof that their gross annual revenues are less than \$20,000,000 (\$25,000,000 for those businesses in the information technology sales or service business). This can be accomplished by including a recent tax or audited financial statement.

All companies claiming status as a Socially Disadvantaged Business must include in the Disadvantaged Business Submittal of the proposal clear and convincing evidence to establish that the business has personally suffered racial or ethnic prejudice or cultural bias stemming from the business person's color, ethnic origin or gender. The submitted evidence of prejudice or bias must:

- a. Be rooted in treatment, which the business person has experienced in American society, not in other countries.
- b. Show prejudice or bias that is chronic and substantial, not fleeting or insignificant.
- c. Indicate that the business person's experience with the racial or ethnic prejudice or cultural bias has negatively impacted on his or her entry into and/or advancement in the business world.

BMWBO shall determine whether the Contractor has established that a business is socially disadvantaged by clear and convincing evidence.

In addition to these verifications, the Disadvantaged Business Submittal should include the following information:

- The name and telephone number of the project (contact) person for the Small Disadvantaged Business(s) or Socially Disadvantaged Business.
- The company name, address, telephone number of the prime contact person for each specific Small Disadvantaged Business or Socially Disadvantaged Business included in the proposal. The Contractor must specify the Small Disadvantaged Business(s) or Socially Disadvantaged Business to which it is making commitments. The Contractor will not receive credit by stating that it will find a Small Disadvantaged Business or Socially Disadvantaged Business after the contract is awarded or by listing several companies and stating you will select one later.
- The specific work, goods, or services the Small Disadvantaged Business(s) or Socially Disadvantaged Business(s) will perform or provide.