

# Addendum to Solicitation



Purchasing Office / City of Mesa • 20 East Main Street, Suite 450 • Mesa, AZ 85201

Issue Date: March 3, 2022

This addendum will modify and/or clarify: Solicitation No.: 2022118

and is Addendum No.: One (1)

Procurement Description: Offender Monitoring Solutions

Below are questions received as of March 2, 2022 and answers provided by City staff.

Q1. Is there a list of agencies that are part of OMNIA?

A1. Yes, Once the contract is awarded, the awarded supplier(s) will have access to a list of agencies who are registered with OMNIA Partners.

Q2. Is it required to submit and be a part of the OMNIA portion as well?

A2. No, however, the goal of the RFP is to establish a national contract(s). If Supplier is unable to propose a national program due to conflicts with legal obligations or coverage area, Supplier may indicate so and propose a regional or direct solution. The City of Mesa will evaluate responses in their entirety and determine award based on the most advantageous proposal.

Q3. Will there be more than one (1) vendor awarded to the contract?

A3. Yes, more than one (1) vendor can be awarded if the City sees fit.

Q4. Will there be a significant extension to the deadline, in the event that the addendum is issued with changes to the OMNIA component.

A4. No, there will be no extension to the deadline. All responses are due on March 14, 2022 at 3:00pm Arizona time.

Q5. Can the City provide their current usage for all categories that are requested within the solicitation? How many clients are being monitored for each category and how much is it etc.

A5. Currently the City of Mesa has three (3) defendants on electronic monitoring. The City is expecting this number to increase once the new contract is in place and the Domestic Violence (DV) Court is implemented, which also includes many of the items, softwares, etc. that are being requested. Due to the City not currently having the current items/services requested, we cannot provide a number at this time.

Q6. Does the City have any idea of how many additional entities may take advantage of the cooperative purchasing advantage?

A6. OMNIA Partners has 234,000 active participating agencies which have access to all national contracts in the portfolio.

Q7. Is it the City's intention to select a vendor that uses and complies with OMNIA cooperative purchasing terms?

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A7. The City will evaluate the received responses based on the evaluation criteria. A vendor complying with OMNIA will not be part of the evaluation, all responses are reviewed fairly.

Q8. If other cooperative purchasing or contract options are acceptable, will the City please clearly state this and amend the RFP to show that all references to OMNIA requirements can be disregarded or marked "Not Applicable" within the response? If not, how should vendors handle responses to OMNIA-related specifications?

A8. See the answer to question 2 in this addendum.

Q9. Who is the end user of the City's offender monitoring solutions program? What types of participants, and how many of each type, are enrolled in the program?

A9. Currently the participants are defendants released from jail and there are only three enrolled in the program, but in the past, there were about fifty. The City anticipates there will be more usage once DV Court is implemented in the fall of 2022.

Q10. Can the City clarify the size of programs that would require installation duties and data entry support? Are installations and data entry services required during business days and hours or 7 days a week?

A10. Not currently but maybe in the future.

Q11. Page 26 Support Services Item 6.3, Fee Processing: What does the current vendor charge the participants for processing all fee related collection and disbursement tasks? Does the participant pay the service fee to the vendor directly or does the vendor charge the City for the fee?

A11. Currently, the court receives them on a monthly invoice as to usage and it is paid by the court.

Q12. Page 26 Support Services Item 6.d.: Processing warrants: As issuing warrants is a law enforcement-related action, is the City expecting the vendors personnel to issue the warrant? This appears to be a task that would not be legally performed by private individuals such as private vendor personnel as there are legal considerations tied to issuing arrest warrants. Based on this consideration, can the City confirm that the actual warrant will be drafted by law enforcement personnel?

A12. No, the court issues warrants, and the City's court staff process them.

Q13. Testimony: How many times did the current provider have to attend court for testimony over the last year? Can web-based testimony be provided?

A13. Zero

Q14. Page 16 of 61: SOW Item 2.h. This item calls for replacement of any lost equipment to the City within 48 - 72 hours after report at no additional lost to the City. Due to equipment costs, would the City place a limitation on this requirement; e.g., % lost of active units, especially in the case of participants that destroy/lose multiple pieces of monitoring equipment but are returned to the program?

A14. The City would expect the equipment to be replaced at no cost.

Q15. Does the program require the vendor to provide any telecom notification tools to the City or designated staff for access the monitoring or tracking systems used for this program, i.e. Laptops, PC s, smartphones, or tablets? If so, how many of each are required?

A15. Not currently.

Q16. Lost Equipment: Does the City reimburse the current vendor for lost GPS or RF Monitoring equipment? If so, at what rate?

A16. The City would expect the equipment to be replaced at no cost.

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Q17. Who is the City's current provider of electronic monitoring / offender monitoring services?

A17. The City is utilizing a cooperative contract through the OMNIA Partners portfolio. The vendor who was awarded the contract in the OMNIA portfolio was BI Incorporated.

Q18. Since this solicitation is being used for other states, if the vendor does not provide services to Arizona and only intends to respond to services elsewhere, how would the scope of work be affected? specifically 4.1 and 4.2

A18. The City will not be amending the scope of work in the RFP. The City will evaluate all responses and score/award accordingly.

Q19. This solicitation appeared in the State of MT RFP list. Does that indicate that you will be intending to grant contracts in Montana?

A19. Advertisements in several states were ordered through OMNIA Partners per the required process since that allows the solicitation at a national level. The City will evaluate all responses and score/award accordingly.

Q20. With the RFP calling out the OMNIA contract as the desired outcome, if our solution is already available via OMNIA is the bid process required?

A20. Yes, vendor will still need to complete the required documents in order to be considered for the national contract.

Q21. Are there file size limitations for the City of Mesa's purchasing website?

A21. Yes, one single document cannot exceed 25 mb.

Q22. Please confirm that vendors are allowed to develop pricing structures and models consistent with RFP instructions, and the agency will not provide a form.

A22. The City will not be providing a pricing form. Vendors are asked to follow the guidelines within the pricing section of the RFP.

Q23. Please confirm that by describing maintenance, support, and warranty information inline in the proposal submission, this will accommodate "warranty information" documentation requirements.

A23. Warranty information, as stated, is not required. You may include it if it is something you have.

Q24. Consistent with the RFP section that allows vendors to cite where there may be requests for pricing adjustments and/or if adjustments are requested after award, the same terms that would be approved by the agency will also be accepted under the related section of the OMNIA Agreement. Please confirm that if pricing adjustments are approved by the City of Mesa, these adjustments will also be reflected in the OMNIA Partners Master Agreement.

A24. Any revisions to the pricing file must be approved by the City and will be made available through the national agreement on the OMNIA Partners portfolio. As a point of clarification, OMNIA Partners is the marketing cooperative of the resulting City awarded master contract(s) on a national basis.

Q25. Please confirm vendors are not required to fill out this form if the respondent is an LLC, a corporation or a Partnership. Please confirm vendors are not required to sign the form if the requirements to skip the affidavit are met.

A25. Vendors are not required to sign the lawful presence affidavit within the required response forms. If Vendor is a LLC, corporation or partnership the box just needs to be checked for that option which is located at the top of the form.

Q26. Within Exhibit B for OMNIA, Section 12: If not subject to negotiation, please confirm that suppliers will be permitted to make a counteroffer, if desired, at the time of proposal submission and could be subject to score during review.

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A26. Under section 4. Tab 2, subsection 2.b., Offeror's response should include any proposed exceptions to the OMNIA Partners Administration Agreement.

Q27. For Attachment C: Please confirm that the annual sales for the three previous fiscal years can be submitted as a separate file as stated in Section C.11.3. Financial Statements. Please also confirm that vendors may mark this information as confidential and pro-prietary and will not be disclosed.

A27. Annual sales for the three previous fiscal years can be submitted as a separate file. Vendors can mark as confidential and proprietary information within their submittal, City is subject to Arizona's public records laws as noted in the solicitation.

Q28. For Attachment C, Section 3.3 marketing and Sales, L: It is rare for government contractors or government agencies to provide a guarantee of contract usage due to funding, administrative, legislative, or operational changes. Therefore, it would not be responsible to commit to a guarantee of contract sales and expect a supplier to continue paying said amount under contract if/when the supplier's customers discontinue services. We respectfully ask that this section be removed in entirety. If the removal of this specification is not possible, will the agency please consider modifying the specification to replace "guarantee" with "goals" or a less restrictive requirement?

A28. Respondents are requested but not required to provide a guarantee of sales in this section.

Q29. For Attachment C, Section 3.3 marketing and Sales, J: The release of this information could adversely affect vendor's competitiveness within the industry, please confirm vendors may designate this information as confidential.

A29. Respondents may designate the response to Attachment C, Section 3.3, J as confidential.

Q30. Attachment D: Proposer Questions and Requirements, C. 11.3 Financial Statements: Please confirm all required financial information submitted as separate files can be withheld as confidential.

A30. Vendors can mark as confidential and proprietary information within their submittal, City is subject to Arizona's public records laws as noted in the solicitation.

Q31. Exhibit G: Please confirm vendors are required to fill out Documents 1 – 7 and include them in submissions. Please confirm vendors are not required to provide a signature for the Procurement Agent.

A31. A signature within Exhibit 1 of the Draft Contract is not required. This section is for review and to provide a sample of what the agreement will look like if awarded. Attachment B Required Response Forms document which is five pages must be submitted with the response.

Q32. Exhibit G, DOC #3: It appears that the remainder of this requirement was omitted, potentially due to a clerical error. Will the agency please clarify: upon receipt from what?

Reads: A. No approved Federal or New Jersey Affirmative Action Plan. We will complete Report Form AA201-A upon receipt from the

A32. This is a clerical error and should read as follows: We will complete Report form AA201. A project contract ID number will be assigned to your firm upon receipt of the completed Initial Project Workforce Report (AA201).

Q33. Exhibit G, DOC #4: Please confirm this form is not required to be completed by vendors for this submission.

A33. See response to question 31 in this addendum.

Q34. In the spirit of competition and thus providing the most value to the city and agencies utilizing this cooperative contract, would the City allow vendors to describe how their solutions would satisfy the requested requirements.

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A34. Yes, the vendors are allowed to describe their solutions.

Q35. Page 13, Scope of Work, General Information, #3 lists Video and/or Voice Tracking Verification/Message Reporting as a selection. Most vendors have completely replaced this older type of technology with a Smartphone Application, as listed under #5. If vendors provide a Smartphone Application as a replacement, can they simply state to please see their response under #5? Or would the City prefer to see a response under both sections even though the responses would be identical?

A35. Vendor can state to see response under #5 or simply put not applicable.

Q36. What is the transition/implementation timeline for the City? What are the expected implementation start and completion dates?

A36. The first page of the solicitation lays out a tentative timeline. We would like the work to begin on June 1, 2022 and go through May 31, 2027. There will also be 2 one-year renewal periods available after the initial term.

Q37. What is the expectation by OMNIA for other agencies to transition to the new vendor's products and services? Please provide as complete an answer as possible so that vendors can determine the number of staff members required and the overall cost for transition.

A37. This is detailed in Exhibit B, Administration Agreement, Example, under National Promotion section 10.

Q38. Attachment D, C.11.3 Financial Statements, #2 requires an audited income statement and balance sheet. Will the City of Mesa keep audited financials from private companies private if they are marked "Confidential"?

A38. Vendors can mark as confidential and proprietary information within their submittal, City is subject to Arizona's public records laws as noted in the solicitation.

Q39. Does OMNIA require a vendor to exclusively use the OMNIA contract vehicle and no other vehicle such as GSA or NASPO? Please explain in detail what will occur if a vendor currently utilizing another contract vehicle is awarded the City of Mesa/OMNIA award.

A39. OMNIA Partners is the marketing cooperative for the master contract(s) awarded by the City resulting from this RFP. OMNIA makes no requirement that a vendor exclusively utilize any contract. The Administration Agreement clearly outlines marketing and go to market strategies for a supplier awarded a national contract.

Q40. Is this understanding correct: the pricing in the Master Agreement essentially becomes the ceiling for pricing with respect to any contract with any other government agency. And the lowest price offered anywhere becomes the ceiling that can be charged?

A40. Yes, the pricing submitted by an awarded vendor should be the not to exceed pricing for the national agreement.

Q41. Will the City please clarify if Attachment E is for informational purposes only or is required to be completed by vendor and included in proposal? If required to be completed, will the City please clarify in which section vendors should include Attachment E.

A41. Attachment E is just for informational purposes only.

A second addendum will be issued to answer the additional vendor questions.

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Please contact [Nicole.Arnold@MesaAZ.gov](mailto:Nicole.Arnold@MesaAZ.gov) or [LeiRonda.Golden-Grady@MesaAZ.gov](mailto:LeiRonda.Golden-Grady@MesaAZ.gov) with any questions you may have regarding this addendum.

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The balance of the specifications and bid/proposal solicitation instructions to remain the same. Bidders/Proposal Offerors are to acknowledge receipt and acceptance of this addendum by indicating receipt on the Required Response Forms attachment of this bid/proposal response. Failure to acknowledge an addendum prior to bid/proposal opening time and date may make the bid/proposal response non-responsive to that portion of the solicitation as materially affected by the respective addendum.