

LEGAL SERVICES FOR THE HARFORD COUNTY

DEPARTMENT OF SOCIAL SERVICES

PRE-PROPOSAL CONFERENCE

HADSS/SSA 17-001 S

2 South Bond Street  
Suite 300  
Bel Air, Maryland 21014-3736

Monday, November 21, 2016

ATTENDANCE:

AGENCY:

Kim Nicolaus, Harford County

Sally Thompson, Procurement Officer,  
Harford County

Kim Parks-Bourn, In-Home Services Administrator,  
Harford County

Shirelle Green, DHR Central

Tracey Gamble, DHR Central

Charlie Evans, DHR Central

ATTENDEES:

Kristen Barrett, Esq. Stark & Keenan  
Laura Bearsch, Esq., Love, Fleming, Bearsch & Hurff  
Jeffrey Burger, Esq., Love, Fleming, Bearsch & Hurff  
Andrew Chabalowski, Esq.  
Sandra M. Douglas, Esq.

Reported by: Chris Hofer, Notary Public  
Hunt Reporting Company, Glen Burnie, Maryland

P R O C E E D I N G S

(2:15 p.m.)

1  
2  
3 MS. THOMPSON: We're here this afternoon. My  
4 name is Sally Thompson and I'm the Procurement Officer  
5 for the Agency, and I'd like to welcome you to the  
6 Harford County Department of Social Services. If I  
7 don't look -- I'm reading from a script that I have to  
8 follow, so please forgive me for no constant eye  
9 contact.

10 So today we will share information with you  
11 concerning the request for proposals, RFP entitled  
12 Legal Services. The Agency Control Number for this RFP  
13 is HADSS/SSA 17-001 S.

14 If you haven't already done so, please make  
15 sure that you sign in at the table by the front door.  
16 I believe everybody got signed in. When you do, please  
17 indicate whether your organization is a certified MBE  
18 or SBR, so the Department can track the participation  
19 of these companies in any procurement opportunity. If  
20 you do have a business card, you can provide that and  
21 that will satisfy your sign-in requirement.

22 And now we can do some introductions. What  
23 I'd like to do is have all the State representatives

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1 that are here today introduce themselves. We'll start  
2 here with --

3 MS. PARKS-BOURN: I'm Kim Parks-Bourn, I am  
4 the In-Home Services Administrator here at the Harford  
5 County Department of Social Services.

6 MS. DOUGLAS: So we're just introducing --

7 MS. THOMPSON: Yes.

8 MS. DOUGLAS: Okay. My name -- hi, hi  
9 everyone, my name is Sandra Douglas, I'm an attorney.

10 MR. CHABALOWSKI: I'm Andrew Chabalowski, I'm  
11 an attorney. I'm the counterpart to Wilbur Bolton, but  
12 he couldn't make it today, so I'm just sitting in.

13 MR. BURGER: I'm Jeff Burger, I'm with Love,  
14 Fleming, Bearsch & Hurff.

15 MS. BEARSCH: And I'm Laura Bearsch with  
16 Love, Fleming, Bearsch & Hurff.

17 MS. BARRETT: Kristen Barrett, I'm also with  
18 Stark & Keenan.

19 MS. GREEN: Shirelle Green, DHR Central.

20 MS. GAMBLE: Tracey Gamble, DHR Central.

21 MR. EVANS: Charlie Evans, DHR Central.

22 MS. THOMPSON: And?

23 MS. NICOLAUS: Oh, I'm next?

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1 MS. THOMPSON: Yes.

2 (Laughter.)

3 MS. NICOLAUS: Kim Nicolaus, I'm here with  
4 Sally here at DSS.

5 MS. THOMPSON: Thank you.

6 Okay, just some brief opening remarks. The  
7 Harford County Department of Social Services, also the  
8 acronym is HADSS, it's a unit of the Maryland  
9 Department of Human Resources, which the acronym for  
10 that is MDDHR, is issuing this request for proposals to  
11 acquire the services of a practicing attorney licensed  
12 in the State of Maryland to represent the Agency before  
13 the Harford County courts in accordance with Human  
14 Services Article 3-601 of the Annotated Code of  
15 Maryland, and that can be found in Attachment P in the  
16 RFP and is outlined in Section 3 of this RFP.

17 Legal services include, but are not limited  
18 to, matters relating to child abuse and neglect,  
19 petitions, termination of parental rights, and advising  
20 HCDSS staff on legal issues. It is the State's  
21 intention to obtain services as specified in this RFP  
22 from a contract between the selected offeror and the  
23 State.

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1           The anticipated duration of services to be  
2 provided under this contract is three years, which two  
3 one-year renewable options at the State's sole  
4 discretion.

5           The Department intends to make a single award  
6 as a result of this RFP.

7           An offeror, either directly or through its  
8 subcontractors, must be able to provide all services  
9 and meet all of the requirements requested in the  
10 solicitation, and the successful offeror or contractor  
11 shall remain responsible for contract performance  
12 regardless of subcontractor participation in the work.

13           I did want to call your attention to, there  
14 already has been one amendment made, and I believe --  
15 if you haven't picked it up, it's on the table over  
16 there. An amendment has been issued to amend certain  
17 information in this RFP. All information contained  
18 herein is binding on all offerors who respond to the  
19 RFP.

20           Specific parts of the RFP that have been  
21 amended are you need to add in attachment F-1,  
22 financial proposal instructions dated November 18th,  
23 2016, and the second part of that is to remove

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1 attachment J, which is the Non-Disclosure Agreement  
2 provided on November 4th of 2016, and replace it with a  
3 new attachment J, also entitled Non-Disclosure  
4 Agreement, that's dated November 18th, 2016.

5 MS. GREEN: And they all are listed on  
6 eMaryland Marketplace, all the attachments, all the  
7 notes.

8 MS. THOMPSON: We also had a series of six  
9 questions that have been posed up until now that also  
10 were on the table, if you hadn't had a chance to grab  
11 those, they are answers and they're on eMaryland  
12 Marketplace as well.

13 MS. GREEN: Yes, yes.

14 MS. THOMPSON: And so anything further that  
15 arises from today's conversation would also be on  
16 eMaryland Marketplace in the future.

17 So in Section 1, Section 1.5, regarding  
18 Procurement Officer, for the purposes of this RFP I am  
19 the sole point of contact between the State and the  
20 vendor community. Please do not contact any other  
21 State representatives regarding questions about this  
22 RFP. Please direct all inquiries to my attention.

23 Section 1.8, eMaryland Marketplace. In order

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1 to receive a contract award, vendors must be registered  
2 on eMM. Each offeror is requested to indicate its eMM  
3 vendor number in the transmittal letter submitted at  
4 the time of its proposal submission.

5 Section 1.9, questions and responses. And as  
6 I mentioned, there have been six questions received  
7 prior to this conference. The responses to these  
8 questions are available on the table and will be posted  
9 on eMaryland Marketplace and the DHR Website with  
10 sufficient time to allow offerors to review them to  
11 assist with formulating their proposal submissions.

12 If any questions that are asked during this  
13 conference are responded to during the conference,  
14 please be advised that these responses to these  
15 questions will also be posted.

16 Should there be a discrepancy between  
17 responses given during this conference and written  
18 responses provided subsequently, the written responses  
19 shall prevail.

20 Section 1.11, proposal due date and time. An  
21 unbound original and five copies of both the technical  
22 and financial proposals must be received by the  
23 Procurement Officer no later than 4:30 p.m. local time

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1 on Monday, December 5th, 2016 in order to be  
2 considered. Requests for extension of the due date and  
3 time will not be granted.

4 Proposals received after the due date and  
5 time cannot and will not be except as provided under  
6 the provisions of COMAR 21.05.03.02F and 21.05.02.10.

7 If you are mailing your proposal, please  
8 allow sufficient time for mailing to ensure that it is  
9 received by me prior to the proposal due date and time.  
10 A postmark by the due date and time is not acceptable,  
11 it must actually be received here by me.

12 More information regarding proposal format  
13 will be covered in Section 4.

14 Section 1.12, multiple or alternate  
15 proposals. Multiple and/or alternate proposals will  
16 not be accepted.

17 Section 1.14, Public Information Act notice.  
18 An offeror should give specific attention to the clear  
19 identification of those portions of its proposal that  
20 it considers confidential and/or proprietary commercial  
21 information or trade secrets, and provide justification  
22 why such materials upon request should not be disclosed  
23 by the State under the Public Information Act. This

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1 confidential and/or proprietary information should be  
2 identified by page and section number and placed after  
3 the title page and before the table of contents in the  
4 technical proposal and, if applicable, separately in  
5 the financial proposal.

6 Offerors are advised that upon request for  
7 this information from a third party, the Procurement  
8 Officer is required to make an independent  
9 determination whether the information must be  
10 disclosed.

11 Section 1.25, bid proposal affidavit, which  
12 is attachment B of the RFP. This form must be  
13 completely filled out and submitted with your technical  
14 proposals. You only need to submit it with the  
15 original of the technical proposal; copies aren't  
16 required.

17 Section 1.26, contract affidavit. This form  
18 is only to be submitted after notification of a parent  
19 contract award, please do not include this with the  
20 technical proposal.

21 Section 1.28, verification of registration  
22 and tax payment. Before a business entity can do  
23 business with the State, it must be registered with the

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1 State Department of Assessments and Taxation, also  
2 known as SDAT. SDAT is located at the State Office  
3 Building on 301 West Preston Street, Room 803,  
4 Baltimore, Maryland, 21201. The SDAT Website is listed  
5 in the section of the RFP. It's strongly recommended  
6 that any potential offeror complete registration prior  
7 to the due date for receipt of proposals or that you  
8 review your registration information to ensure that it  
9 is accurate and up to date. An offeror's failure to do  
10 so may result in an otherwise successful proposal being  
11 dropped from consideration for a contract award.

12 Section 1.33, minority business enterprise  
13 goals. An overall MBE subcontractor participation goal  
14 of five percent of the total contract dollar amount as  
15 set forth in the offeror's price proposal, which is  
16 attachment F, including all option years, if any, has  
17 been established for this procurement, and those  
18 attachments are D-1 through D-5.

19 Section 1.34, living wage requirements.  
20 Maryland law requires that contractors meeting certain  
21 conditions pay a living wage to covered employees on  
22 State service contracts over \$100,000, Maryland Code  
23 State Finance and Procurement 18-010. The Commissioner

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1 of Labor and Industry at the Department of Labor,  
2 Licensing and Regulation requires that a contractor  
3 subject to the living wage law submit payroll records  
4 for covered employees and a signed statement indicating  
5 that it paid a living wage to cover employees or  
6 receive a waiver from the living wage reporting  
7 requirements. And the reference there is COMAR  
8 21.11.10.05.

9 The specific living wage is determined by  
10 whether a majority of services take place in a Tier 1  
11 or Tier 2 area of the State. Harford County is a Tier  
12 2 area and the reference there is attachment G.

13 Section 1.36, conflict of interest affidavit  
14 and disclosure. Offerors shall complete and sign the  
15 conflict of interest affidavit and disclosure,  
16 attachment I, and submit it with their proposal. All  
17 offerors are advised that if a contract is awarded as a  
18 result of this solicitation, the successful  
19 contractor's personnel who perform or control work  
20 under this contract and each of the participating  
21 subcontractor personnel who perform or control work  
22 under this contract shall be required to complete  
23 agreements substantially similar to attachment I.

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1           Section 1.37, non-disclosure agreement. All  
2 offerors are advised that the solicitation and any  
3 resultant contracts are subject to the terms of the  
4 non-disclosure agreement, NDA, contained in this  
5 solicitation as attachment J. This agreement must be  
6 provided within ten business days of the notification  
7 of proposed contract award. However, to expedite  
8 processing, it is suggested that this document be  
9 completed and submitted with the proposal.

10           Section 1.41, veterans-owned small business  
11 enterprise goals. Although there is no VSBE  
12 subcontractor participation goal for this procurement,  
13 veteran-owned small business enterprise vendors are  
14 encouraged to respond to this RFP.

15           Section 1.43, Department of Human Resources  
16 hiring agreement. All offerors are advised that if a  
17 contract is awarded as a result of this solicitation  
18 the successful offeror will be required to complete a  
19 DHR hiring agreement. A copy of this affidavit is  
20 included as attachment O. The affidavit must be  
21 provided within five business days of notification of  
22 the proposed contract award.

23           So onto Section 2, minimum offeror

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1 qualifications. The offeror must provide proof with  
2 its proposal that the following minimum qualifications  
3 have been met.

4 The offeror must be licensed to practice law  
5 in Maryland for a minimum of three years and be in good  
6 standing with the Maryland Court of Appeals. As proof  
7 of meeting this requirement, the offeror shall provide  
8 with its proposal a copy of a certificate of good  
9 standing from the Maryland Court of Appeals for each  
10 attorney assigned to the contract.

11 The offeror shall have at least three years  
12 of work experience in the practice of family law:  
13 administrative child welfare, child disability, family  
14 law, adult protective services, and/or related legal  
15 fields. As proof of meeting this requirement, the  
16 offeror shall provide with its proposal three reference  
17 letters to support the proposal that address the  
18 experience of the offeror and/or the offeror's  
19 personnel who will be assigned to this contract.  
20 References shall be submitted in the format as  
21 specified in Section 4.4.2.9 of this RFP.

22 So on your agenda it says that the next  
23 section that we look at is Section 3, which is scope of

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1 work, and basically what I'd like to ask you all to do  
2 is take a close look at it or I'm assuming you've read  
3 through it to see what the requirements are there.

4 Instead of us reading the entire thing to you, we'll  
5 give you an opportunity to let us know if you have any  
6 questions about any of the content there. There's --

7 MS. GREEN: There's copies over there at that  
8 table.

9 MS. THOMPSON: Yeah, if you need an extra  
10 copy, there's several over there. And it starts on  
11 page -- it starts on page 23 and runs to the middle of  
12 page -- or close to the middle of the page 29.

13 (Pause.)

14 MS. THOMPSON: Do we have any questions  
15 regarding the scope of work?

16 MR. CHABALOWSKI: Just as a clarification for  
17 the CINA adjudications/dispositions, the 270, is that  
18 cases, 270 cases, or is that a combination of just  
19 hearings and appearances?

20 MS. DOUGLAS: Which section are you --

21 MR. CHABALOWSKI: I'm sorry, I'm on page 23,  
22 Section 3.

23 MS. DOUGLAS: Okay. So you're asking --

1 MR. CHABALOWSKI: Under the scope of work  
2 portion, under the CINA adjudications/dispositions, you  
3 see the number 270 there, and is that number in  
4 relation to 270 combined hearings or -- I guess I'm  
5 just trying to find clarification on the number 270.

6 MS. PARKS-BOURN: I believe that it is.

7 MR. CHABALOWSKI: Okay.

8 MS. PARKS-BOURN: Yeah.

9 MS. THOMPSON: But what we'll do for the  
10 purposes of --

11 MS. PARKS-BOURN: For clarification, yeah.

12 MS. THOMPSON: -- we'll get something in  
13 writing to respond to that question specifically.

14 MS. GREEN: That response will be posted on  
15 the eMaryland Marketplace.

16 MR. CHABALOWSKI: Okay. Thank you very much.

17 MS. THOMPSON: Any other questions regarding  
18 the content there?

19 UNIDENTIFIED SPEAKER: What page was that  
20 again?

21 MS. THOMPSON: Oh, 23.

22 MR. CHABALOWSKI: That was 23.

23 MS. GREEN: And what number?

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1 MR. CHABALOWSKI: It was -- it's the very  
2 first number right there, 270, if we go to the list of  
3 the CINA adjudications/dispositions.

4 MS. THOMPSON: Okay. Well, if there are no  
5 other questions at this moment, I'll move on to the  
6 second -- or Section 4 it is, proposal format, Section  
7 4.1, it's a two-part submission. Offerors shall  
8 simultaneously submit proposals in separate volumes.  
9 Volume I is the technical proposal and Volume II is the  
10 financial proposal.

11 Under Section 4.2, proposals. Volume I,  
12 technical proposal, and Volume II, financial proposal,  
13 are to be sealed separately from one another. It's  
14 preferred, but not required, that the name, email  
15 address, and telephone number of the offeror be  
16 included on the outside of the packaging for each  
17 volume.

18 Each volume shall contain an unbound  
19 original, so identified, and five copies. And that is  
20 actually a correction to what is in the RFP at the  
21 moment, we -- that will be another amendment. I  
22 believe we've got four copies in there under that, so  
23 we need five. And so we'll have that update and

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1 amendment posted on eMaryland Marketplace thereafter.

2 Unless the resulting package would be too  
3 unwieldy, the State's preference is for the two sealed  
4 volumes to be submitted together in a single package,  
5 including a label bearing the RFP title, agency control  
6 number, name and address of the offeror, and closing  
7 date and time for receipt of proposals.

8 An electronic version, either a CD or DVD, of  
9 the technical proposal in Microsoft Word format must  
10 also be enclosed with the technical proposal. An  
11 electronic version, again CD or DVD, of the financial  
12 proposal in Microsoft Excel format must be enclosed  
13 with the original financial proposal. CDs or DVDs must  
14 be labeled on the outside with the RFP title and agency  
15 control, name of the offeror and volume number.

16 CDs or DVDs must be packaged with the  
17 original copy of the appropriate proposal, technical or  
18 financial, and a second electronic version of Volume I  
19 and Volume II in searchable Adobe.pdf format shall be  
20 submitted on CD or DVD for Public Information Act  
21 requests. This copy shall be redacted so that  
22 confidential and/or proprietary information has been  
23 removed. All pages of both proposal volumes should be

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1 consecutively numbered from beginning page 1 to end,  
2 page X.

3 Section 4.4, Volume I, technical proposal.  
4 Please note no pricing information is to be included in  
5 the technical proposal, Volume I. Pricing information  
6 is to be included only in the financial proposal, which  
7 is Volume II.

8 The technical proposal shall include the  
9 following documents and information in the order  
10 specified. Each section of the technical proposal  
11 shall be separated by a tab and labeled as following:  
12 title page and table of contents submit under Tab A;  
13 claim of confidentiality, if applicable, submit under  
14 Tab A-1; transmittal letter, submit under Tab B.

15 The transmittal letter shall include the  
16 following: name and address of the offeror; name,  
17 title, email address and telephone number of the  
18 primary contact for each offeror; solicitation title  
19 and agency control number that the proposal is in  
20 response to; signature, typed name and title of an  
21 individual authorized to commit the offeror to its  
22 proposal; Federal Employer Identification number, FEIN,  
23 of the offeror, or if a single individual, that

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1 individual's Social Security number, SSN. Offeror's  
2 email and Marketplace number; offeror's MBE  
3 certification number, if applicable; offeror's SBR  
4 certification number, if applicable; offeror's VSBE  
5 certification number, if applicable; acceptance of all  
6 State RFP and contract terms and conditions; if any  
7 exceptions are taken, they are to be noted in the  
8 executive summary; and acknowledgment of all addenda to  
9 this RFP.

10           Executive summary, submit under Tab C;  
11 minimum qualifications documentation, if applicable,  
12 submit under Tab D; offeror technical response to RFP  
13 requirements and proposed work plan, submit under Tab  
14 E; experience and qualifications of proposed staff,  
15 including proposed subcontractors, submit under Tab F;  
16 offeror qualifications and capabilities, submit under  
17 Tab G; references, submit under Tab H; list of current  
18 or prior State contracts, submit under Tab I; financial  
19 capability, submit under Tab J; certificate of  
20 insurance, submit under Tab K; subcontractors, submit  
21 under Tab L; legal action summary, submit under Tab M;  
22 economic benefit factors, submit under Tab N;  
23 additional required technical submissions, submit under

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1 Tab O. This is the section where all of the required  
2 forms are to be submitted.

3 Section 4.5, Volume II, financial proposal.  
4 And this is again where we will have an amendment to  
5 the number of copies we need. Under separate sealed  
6 cover from the technical proposal and clearly  
7 identified in the format identified in Section 4.2, the  
8 offeror shall submit an original unbound copy, five  
9 copies -- the current RFP says seven; we don't need  
10 seven, we just need five -- an electronic version in  
11 Microsoft Excel of the financial proposal.

12 The financial proposal shall contain all  
13 price information in the format specified in attachment  
14 F. The offeror shall complete the financial proposal  
15 form only as provided in the financial proposal  
16 instructions and the financial proposal form itself.

17 Section 5, evaluation committee, evaluation  
18 criteria and selection procedure.

19 Section 5.1, evaluation committee.  
20 Evaluation of proposals will be performed in accordance  
21 with COMAR 21.05.03 by a committee established for that  
22 purpose and based on the evaluation criteria set forth  
23 in the RFP. The evaluation committee will review

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1 proposals, may participate in offeror oral  
2 presentations and discussions, and will provide input  
3 to the Procurement Officer.

4 The Department reserves the right to utilize  
5 the services of individuals outside of the established  
6 evaluation committee for advice and assistance as  
7 deemed appropriate.

8 Section 5.2, technical proposal evaluation  
9 criteria. The criteria to be used to evaluate each  
10 technical proposal are listed as follows in descending  
11 order of importance. Offeror's technical response to  
12 RFP requirements and work plan; offeror qualifications  
13 and capabilities; experience and qualifications of  
14 proposed staff, including proposed contractors; and  
15 economic benefit to the State of Maryland.

16 Section 5.3, financial proposal evaluation  
17 criteria. All qualified offerors, a responsible  
18 offeror determined to have submitted an acceptable  
19 technical proposal, will be ranked from the lowest,  
20 most advantageous to the highest, least advantageous  
21 price based on the offeror's total proposal price  
22 within the stated guidelines set forth in this RFP and  
23 as submitted on attachment F, financial proposal form.

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1           Section 5.5, selection procedures. Technical  
2 proposals are evaluated for technical merit and ranked.  
3 During this review, oral presentations and discussions  
4 may be held. The purpose of such discussions will be  
5 to assure a full understanding of the State's  
6 requirements and the offeror's ability to perform the  
7 services, as well as to facilitate arrival at a  
8 contract that is most advantageous to the State.  
9 Offerors will be contacted by the State as soon as any  
10 discussions are scheduled.

11           Offerors must confirm in writing any  
12 substantive oral clarifications of or changes in their  
13 technical proposals made in the course of discussions.  
14 Any such written clarifications or changes then become  
15 part of the offeror's technical proposal.

16           Technical proposals are given a final review  
17 and ranked. The financial proposal of each qualified  
18 offeror will be evaluated and ranked separately from  
19 the technical evaluation. When in the best interest of  
20 the State, the Procurement Officer may permit qualified  
21 offerors to revise their initial proposals and submit  
22 in writing best and final offers. The State may make  
23 an award with or without issuing a request for best and

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1 final offers.

2           Upon completion of the technical proposal and  
3 financial proposal evaluations and rankings, each  
4 offeror will receive an overall ranking. The  
5 Procurement Officer will recommend award of the  
6 contract to the responsible offeror that submitted the  
7 proposal determined to be most advantageous to the  
8 State. In making this most-advantageous-proposal  
9 determination, technical factors will receive equal  
10 weight with financial factors.

11           So in terms of -- if anybody has any  
12 questions, please speak up and let us know if there's  
13 anything we can do to clarify those for you.

14           (Pause.)

15           MS. GREEN: I'm sorry, what was your name  
16 again and what agency are you with?

17           MR. CHABALOWSKI: Andrew Chabalowski and  
18 Wilbur Bolton.

19           MS. GREEN: Can you make sure you send your  
20 question via email to Sally?

21           MR. CHABALOWSKI: I will. Thank you.

22           MS. GREEN: Thank you.

23           MS. THOMPSON: I'll get you my business card

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1 before we leave. Okay.

2 No questions? Wow, okay. Well, I'd like to  
3 thank you all for your time today. And if you do have  
4 questions that come up in the future before the closing  
5 date please, you know, be in touch with me and then we  
6 will get those answers back out to everybody through  
7 email and Marketplace.

8 So that concludes our conference. Thank you.


9 (At 2:45 p.m. the meeting was concluded.)

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CERTIFICATE OF NOTARY

I, CHRIS HOFER, the officer before whom the foregoing testimony was taken, do hereby certify that the witness whose testimony appears in the foregoing transcript was duly sworn by me; that the testimony of said witness was taken by me by stenomask means and thereafter reduced to typewriting by me or under my direction; that said testimony is a true record of the testimony given by said witness; that I am neither counsel for, related to, or employed by any of the parties to the action in which this testimony is taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

This certification is expressly withdrawn and denied upon the disassembly or photocopying of the foregoing transcript of the proceedings or any part thereof, including exhibits, unless said disassembly or photocopying is done by the undersigned court reporter and/or under the auspices of Hunt Reporting Company.

  
CHRIS HOFER  
Notary Public in and for the  
State of Maryland

My Commission Expires:

8/1/17

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