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Questions/Responses #3
Maryland Electronic Court Core Acquisition
RFP Project #K11-0030-29
October 4, 2010

Ladies and Gentlemen:

The following questions for the above referenced RFP were received by e-mail and are answered and posted for all prospective Offerors who received the RFP. The statements and interpretations contained in the following responses to questions are not binding on the Judiciary unless the RFP is expressly amended. Nothing in the Judiciary's response to these questions is to be construed as agreement to or acceptance by the Judiciary of any statement or interpretation on the part of the Offeror asking the question.

1. Question: Will the AOC be responsible for deliverables and service acceptance or the individual courts?

Response: The AOC will be responsible for acceptance of deliverables.

2. Question: What is the AOC's time line for acceptance/rejection and re-delivery acceptance of deliverables?

Response: The time line for AOC acceptance may vary depending on the nature and extent of the deliverable. As a general rule, 30 days should be allowed for the AOC's document review and acceptance and 60 days for user acceptance of software deliverables.

3. Question: Was reference to Section 508 to the Federal Rehabilitation compliance intentionally omitted in RFP Section 1.28 (non-visual access)? If so was this done to provide more flexibility to the Offerors in providing non-visual access (such as interactive voice response as an alternative to 508 compliant screen readers)?

Response: Much of the information contained in the guidance for implementing Maryland Information Technology Non-visual Access (MD IT NVA) Regulatory Standards was adopted from federal guidelines for implementing 36 CFR 1194 (Section 508 of the Rehabilitation Act (29 U.S.C. 794d), as amended by the Workforce Investment Act of 1998 (P.L. 105-220) (August 7, 1998).

4. Question: Will the following be provided regarding non-visual access requirements in this RFP.
- A listing of applicable Accessibility Standards specific to this effort
 - A selection of assistive technologies (screen readers such as JAWS) to be used in the technical effort based upon the AOC's market research or agency guidance
 - A listing of legacy conditions or interoperability requirements that may affect the offeror's ability to meet the Accessibility Standards selected as applicable

Response: It is recommended that Offerors visit the *Non-visual Access Guidance – How to Meet Regulatory Standards* website at doit.maryland.gov/policies/Pages/NVAGuidance.aspx for helpful information in responding to this requirement.

5. Question: For parties that do not have SIDs, is the AOC or the contractor responsible for de-duplication of person entity information?

Response: De-duplication of person entity data is not a core deliverable of this RFP. If, after contract award, it is determined that this is a necessary requirement, it will be contracted for under RFP Section 2.7 Optional Services.

6. Question: Will pseudo SIDs be on person entities that do not have a SID across all cases?

Response: Pseudo SIDs will not be on person entities that do not have an assigned SID. Each data source maintains its own unique reference number for all person entities.

7. Question: To what degree is de-duplication of person entity data required for conversion and will the vendor perform this de-duplication.

Response: De-duplication of person entity data is not a core deliverable of this RFP. If, after contract award, it is determined that this is a necessary requirement, it will be contracted for under RFP Section 2.7 Optional Services.

8. Question: If de-duplication is required, will it be performed before conversion, on a court-by-court basis during conversion or en mass after initial state wide conversion/roll-out?

Response: De-duplication of person entity data is not a core deliverable of this RFP. If, after contract award, it is determined that this is a necessary requirement, it will be contracted for under RFP Section 2.7 Optional Services at which time the AOC will determine when it will be performed.

9. Question: The RFP states that most PCs are running Windows 2000 or Windows XP. MS will drop life cycle support of these operating systems during the early life of this procurement. Will local testing be performed on Windows 7 or on Windows XP/2000?

Response: The AOC will conduct testing under Windows 7 and XP. Proposed solutions will be expected to be downward compatible with XP.

10. Question: RFP Section 3.2, Item H, if an Offeror is not able to provide evidence of insurance policy exclusions, but the Judiciary could inquire about those exclusions, could the Offeror then provide further details? Is this acceptable to Judiciary?

Response: This is not acceptable, exclusions must be provided as required in RFP Section 3.2, Item H.

11. Question: RFP Section 3.2, Item H, would the Judiciary consider revising the requirement to read as follows: A copy of the Offeror's current certificates of insurance (~~property, casualty, automotive and~~ commercial general liability, business automobile liability, and workers' compensation), which, at a minimum, shall contain the following:

- Carrier (~~name and address~~)
- Type of Insurance
- Amount of Coverage
- Period covered by insurance
- ~~Exclusions~~

Response: RFP Section 3.2, Item H will not be revised.

12. Question: RFP Attachment E, Section 14 - Termination for Cause, would the Judiciary consider allowing a minimum cure period of 10 days prior to termination becoming effective?

Response: No, RFP Attachment E, Section 14 – Termination for Cause shall remain unchanged.

13. Question: RFP Attachment E, Section 15 - Termination for Convenience, would the Judiciary consider providing 60 days prior written notice of termination, to allow for the orderly and secure transition or cessation of services?

Response: No, RFP Attachment E, Section 15 – Termination for Convenience shall remain unchanged.

14. Question: RFP Attachment E, Section 15 - Partial Termination, would the Judiciary allow the contractor a reciprocal termination right in the event the partial termination of services proposed as an inclusive, bundle solution renders the project fiscally untenable?

Response: No.

15. Question: RFP Attachment E, Section 26 - Contractor's liability, would the Judiciary consider an exclusion of indirect and consequential damages for both parties?

Response: No, RFP Attachment E, Section 26 – Limitation of Liability shall remain unchanged.

16. Question: RFP Attachment E, Section 26 - Contractor's liability, would the Judiciary consider reducing Contractor's maximum liability to a sum less than 5 times the NTE amount?

Response: No, RFP Attachment E, Section 26 – Limitation of Liability shall remain unchanged.

17. Question: RFP Attachment C - Functional Requirements – ACC104, ACC-105, there are several requirements pertaining to electronic payments and fund transfers. Do the Maryland courts currently accept electronic payments (EFT, debit card, credit card and online check), and, if so, what payment processing provider is being used?

Response: Several methods are currently in limited use throughout the Judiciary. A project has been initiated that will result in an enterprise approach and solution to electronic payment. That chosen solution will be required to integrate with the MDEC core through the SAO/ESB.

18. Question: Are Offerors responding to the MDEC RFP expected to propose a payment processor or integrate with the existing?

Response: Offerors are not expected to propose a payment processor.

19. Question: Will the contractor be responsible for training justice partners (data miners, law enforcement agencies, etc?)

Response: The contractor will be responsible for training all users, internal and external, who will have direct use of MDEC Core user interfaces. Multimedia introductions and/or instructions for large user constituencies (such as eFiling) are to be used as appropriate.

20. Question: RFP Section 2.11 Contractor General Requirements – Disaster Recovery, how is data transferred from the primary to disaster recovery site today? Is this handled via SAN replication/mirroring to push data to the cold DR site?

Response: Currently, systems are restored via tape backup. The AOC is exploring other capabilities such as replication, journaling, NFS file transfer.

21. Question: RFP Section 2.5.2.6 - MDEC Core Performance Prototype (Deliverable), is the Judiciary requesting that the contractor conduct a separate Performance / Load test at each of the 6 different sites: four of the largest counties and the two most dispersed counties? Does the Judiciary currently have a performance testing tool for use at these sites and, if so, what 3rd Party software is used?

Large Counties

- Montgomery County
- Prince Georges County
- Baltimore County
- Baltimore City

Dispersed Counties

- Garrett County
- Worcester County

Response: The Judiciary is requiring that performance tests be conducted that include the 6 sites listed in the RFP, not separate tests be performed at each of the 6 sites. The Judiciary currently does not have a performance testing tool.

22. Question: RFP Section 2.5.2.6 MDEC Core Performance Prototype (Deliverable), would the Judiciary consider performance/load testing on equipment and network at the contractor's site that simulates the large and dispersed counties listed?

Response: The performance testing is intended to demonstrate the ability of the system to support actual court operations as specified in the technical requirements prior to starting the Pilot implementation. As such, it must be performed on the Judiciary's equipment at the listed sites via the Judiciary's network.