

EXHIBIT A
REQUIREMENTS

HIDALGO COUNTY
ELECTIONS DEPARTMENT

REQUEST FOR PROPOSAL

**“PURCHASE OF INTERACTIVE
VOICE RESPONSE SYSTEM”**

RFP NO: 2009-459-12-09-CGV

**HIDALGO COUNTY ELECTIONS DEPARTMENT
REQUEST FOR PROPOSAL
“INTERACTIVE VOICE RESPONSE SYSTEM”
RFP NO: 2009-459-12-09-CGV**

OVERVIEW:

The County of Hidalgo is seeking sealed proposals from qualified vendors to furnish all items essential for an Interactive Voice Response System for the Elections Department. All labor and materials required as well as English and Spanish recordings, English and Spanish script writing and application write up as necessary. The Hidalgo County Purchasing Department will receive sealed envelopes containing proposals for the provision of “**Interactive Voice Response System**” as specified herein. Sealed proposals will be accepted until **9:30 A.M., Wednesday, December 9, 2009. ANY RFP RECEIVED AFTER THAT DATE AND TIME WILL NOT BE ACCEPTED AND WILL BE RETURNED UNOPENED.**

Deliver Submittal to:
RFP Number: 2009-459-12-09CGV

<p style="text-align: center;"><u>US Postal Mail Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2812 S. Business Hwy 281 Edinburg, Texas 78539</p>	<p style="text-align: center;"><u>Physical Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2802 S. Business Hwy. 281 Edinburg, Texas 78539</p>
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The Submittal Envelope Must Show The RFP Number, Name And Opening Date.

The following outlines the Request For Proposals:

SECTION I -GENERAL TERMS AND CONDITIONS

ADDITIONAL INFORMATION: Hidalgo County is requesting that request for proposals be routed to Martha L. Salazar, CPPB, Purchasing Agent, at:

<p style="text-align: center;"><u>US Postal Mail Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2812 S. Business Hwy 281 Edinburg, Texas 78539</p>	<p style="text-align: center;"><u>Physical Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2802 S. Business Hwy. 281 Edinburg, Texas 78539</p>
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WRITTEN QUESTIONS WILL BE ACCEPTED VIA FACSIMILE NO LATER THAN Wednesday, December 2, 2009, at 5:00 P.M. at (956) 318-2629. Responses will be sent to all applicants via facsimile by Friday, December 4, 2009. TELEPHONE INQUIRIES WILL NOT BE ACCEPTED.

REQUIREMENT FOR DISCLOSURE OF CONFLICT OF INTEREST:

A person, vendor, consultant or contractor required to file a conflict of interest must file an updated questionnaire each year that a contractual relationship or negotiation is pending with the County.

DISCLOSURE OF CONFLICT OF INTEREST:

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor, person, consultant or contractor considering doing business with Hidalgo County ("the County") to disclose in the Conflict of Interest Questionnaire (the "CIQ") attached as **Exhibit D**, the vendor, person consultant or contractor's affiliation or business relationship that might cause a conflict of interest with the County. By law, the CIQ must be filed with the Hidalgo County Clerk's Office no later than the seventh business day after the date the person becomes aware of facts that require that statement to be filed. The disclosure requirement applies to a person or business who contract or seeks to contract with Hidalgo County for the sale or purchase of property, goods or service. Any purchase order or contract resulting from this process shall be considered null and void if the successful participant fails to comply with Texas Local Government Code Chapter 176. Vendors, consultants, contractors and others who desire to conduct business with Hidalgo County are encouraged to refer to Texas Local Government Code Chapter 176 for the details of this law. An offense under Texas Local Government Code Chapter 176 is a Class C Misdemeanor.

Please submit complete CIQ forms to the Hidalgo County Clerk's Office locate at 100 No. Clossner, Edinburg, Texas 78539-Hidalgo County Courthouse **COMPLETION AND SUBMISSION OF FORM CIQ IS THE SOLE RESPONSIBILITY OF THE PROSPECTIVE BIDDER.**

PROPOSER'S AFFIDAVIT:

Prior Contract award, respondents to this RFP must submit a signed Proposer's Affidavit (attached herein in **Exhibit E**) certifying that the submission is (1) not the result of Collusion as described in the Proposer's Affidavit or that the Respondent has not and will not attempt to lobby directly or indirectly as described in the Proposer's Affidavit.

NON-DISCRIMINATION:

Submitters, during the performance of this contract, will not discriminate against any employee or applicant for employment because of race, religion, sex, national origin or disability except where religion, sex, national origin or disability is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor.

PROCESSING TIME FOR PAYMENT:

Submitters are advised that a minimum of thirty (30) days is required to process invoices for payment.

ELECTRONIC TRANSMISSION OF BIDS:

Hidalgo County's Purchasing Department will not accept telegraphic or electronically transmitted submissions.

PROOF OF FINANCIAL AND BUSINESS CAPABILITY:

Submitters must, upon request, furnish satisfactory evidence of their ability to furnish products or services in accordance with the terms and conditions of these requirements. Hidalgo County will make the final determination as to the submitter's ability.

SUBMITTER DEFAULT:

Hidalgo County reserves the right, in case of submitter default, to procure the articles or services from other sources and hold the defaulting submitter responsible for any excess costs occasioned thereby.

RESTRICTIVE OR AMBIGUOUS REQUIREMENTS:

It is the responsibility of the submitter to review the Request for Proposal (RFP) packet and to notify the Purchasing Department if the requirements are formulated in a manner that would unnecessarily restrict competition. Any such protest or question regarding the requirements or proposers procedures must be received in the Purchasing Department not less than seventy-two hours prior to the time set for the opening. These criteria also apply to requirements that are ambiguous.

HAND DELIVERED PROPOSALS:

Hidalgo County requires submitters, when hand delivering proposals, to make sure that it is stamped with date and time by the County Purchasing Staff.

SIGNING OF PROPOSALS:

In order to be considered all submittals **must** be signed. **Please sign the original in [blue](#) ink.**

WAIVING OF INFORMALITIES:

Hidalgo County reserves the right to waive minor informalities or technicalities when it is in the best interest of Hidalgo County.

SUBCONTRACTING:

The successful submitter **may not** subcontract the award without the written consent of the Commissioners' Court of Hidalgo County.

DURATION OF CONTRACT: The initial contract will be for period of five (5) years for a warranty program and on-site maintenance services. Hidalgo County reserves the right to continue this proposal for an additional sixty (60) day "Grace Period" at the end of the contract term for unforeseen delay of award for next term and contingent upon cost remaining unchanged. Additional requirements to be included in the contract, stated under **Scope of Services** (Maintenance & Support Agreement) in **Exhibit "A"**.

DAVIS BACON ACT:

All selected and awarded firms are required to include the Davis-Bacon Act when advertising and developing specifications. **(if applicable).**

MARKET VOLATILITY AND UNIT PRICE ADJUSTMENTS:

Hidalgo County recognizes that during periods of national crisis and unstable economic conditions, unforeseen price increases might affect costs for goods and services contracted on an annual basis. The following procedure may be employed to mediate price volatility:

- a. **Requesting Price Adjustment:** Upon written request of the Vendor to the County Purchasing

Agent, the County may review evidence of prevailing industry-wide market conditions that warrant an adjustment in bid prices contained in the contract.

- i. A Vendor must tie any price change clause to an industry-wide or otherwise nationally recognized index, or some other form of verifiable document. Such written request must be accompanied by a certified copy of the supplier's advisory or notification to the vendor of the price changes.
 - ii. The Vendor must put the Purchasing Agent on the mailing lists for such publications so that the Purchasing Agent can monitor said changes. Such membership shall be at no cost to the County.
 - iii. The County Purchasing Agent retains the right to determine whether or not such proposed price changes are in the best interest of the County.
 - iv. No price escalation will be authorized in excess of the amount of the increase referred to in the supplier's notice.
 - v. The County may only grant a price increase if the evidence presented is deemed reliable. Should the County allow a price increase, the approved price change shall be honored for all orders received by the vendor or contractor after the effective date of such price change. Approved price changes are not applicable to orders already issued and in process at time of price change.
- b. **Price Reduction:** Vendor shall notify the County at the time when the Vendor's costs for items and/or supplies reduce due to stabilization in the market at which time prices for items on this contract shall be reduced accordingly. Failure by the Vendor to notify the County of a decrease in costs for items and/or supplies for which the Vendor was granted a price adjustment, may result in immediate termination of this contract and the County shall not be obligated to pay the Vendor the difference between the contract price and the price adjustment.
- c. **Time frame for Adjusted Price Increases:** Price increases are only valid for the quarter in which they are requested and approved. Prices shall return to the original contract price at the beginning of the following quarter unless a Vendor notifies the County in writing within ten (10) days of expiration of the quarter in which the price increase is in effect, that it desires to have the price increase continue or that the Vendor is requesting a different price increase for the following quarter. Such request must be supplemented with sufficient justification to demonstrate that the price increase remains necessary. The County Purchasing Department shall have sole discretion whether to grant the price increase extension. The County too, shall have discretion to unilaterally reduce, eliminate or extend a price adjustment to the Vendor at any time upon written notice from the County to the Vendor demonstrating justification for such reduction, elimination or extension of the price adjustment.

- d. **Allowable Review Periods:** Price adjustment reviews may only be requested by the Vendor on a quarterly basis. However, the County may at its own discretion, conduct temporary price adjustment reviews at any time. The County Purchasing Agent and/or the County Auditor reserve the right to audit and/or examine any pertinent books, documents, papers, records or invoices relating directly to the contract transaction in question after reasonable notice and during normal business hours.
- e. **Dollar Limit to Price Changes:** The total increase in contract price shall not exceed twenty-five percent (25%) of the original contract price during the contract term.

SECTION II - RFP REQUIREMENTS

REQUEST FOR PROPOSALS:

The required contents and limitations for the preparation of the RFP are described in this section. Failure to provide the requested information or adhere to any County limitations will result in disqualification of the submitted RFP. A total of **one (1) original and seven (7) copies** of the RFP shall be submitted to the address on the cover letter.

UNDERSTANDING OF THE PROJECT:

This section should demonstrate the proposers understanding of the project needs, the services required, and any local issues or concerns. Briefly explain how long you have been organized and your business objectives. Explain how long you have been in business. This description should be concise, candid, and limited to 3 pages in length.

PROPOSER'S QUALIFICATIONS:

Hidalgo County is soliciting to contract with a qualified vendor with proven elections experience in large counties. The proposer will directly perform the required services are required to have any and all applicable licenses, permits, credentials, qualifications to perform necessary services. Must submit any and all applicable licenses, permits, credentials, qualifications with RFP. Photostat copies are acceptable

PERSONNEL AND STAFFING:

The proposers should provide an organizational chart for the project and a summary paragraph of the project work to be performed by each proposed staff member designated. Biographic summaries that highlight the experience relevant to the specific project responsibilities should be provided for all proposed personnel. There is a one (1) page limitation for each biographic summary provided. Information regarding the proposer's credentials, education and experience with other entities is required and will be scored accordingly during the evaluation process.

REQUIRED CERTIFICATES AND SUBMITTAL:

This section will contain **any/all** licenses, registrations, permits, and certifications as required by the STATE OF TEXAS and HIDALGO COUNTY that you possess that deem you as qualified.

If proposer/vendor cannot meet any of the following services/responsibilities, such exceptions must be noted on the company's cover letter.

SCOPE OF SERVICES

Overview:

Hidalgo County Elections Department would like to purchase an Interactive Voice Response System to provide information to the calling public 365 days a year/24 hours a day. This purchase would reduce the amount of manpower necessary to handle the redundant phone requests that consistently come into the department throughout the year.

Specifications:

We need a sixteen (16) line capacity Interactive Voice Response System (IVR) that provides all forms of voter information from how to register, to where to vote along with a vast amount of other information that would be suitable at the appropriate time. We will need a system that includes at least five (5) different tracks of information to be implemented at different times.

Please provide a synopsis of your proposed solution following the format as noted below:

- I. Service Enhancement Plan:
 - a. Provide a brief summary of the specific steps and actions you would propose to improve Hidalgo County's application and reduce overall costs.
- II. Capability Assessment:
 - a. Each proposer is required to describe the programs and procedures that it will bring to meet Hidalgo County's requirements;
 - b.
- III. Fees:
 - a. Participants submitting proposals to provide including, but not limited to the following:
 - 1) Labor, materials, training and testing system;
 - 2) Warranty to provide and install the equipment;
 - 3) Maintenance agreement (On a three (3) year and a five (5) year);
- IV. Timelines

STATEMENT OF WORK

1.0 General

Hidalgo County seeks a vendor with proven elections experience in large counties to acquire, deliver, install, convert data, prepare scripts and recorded materials, documents test, make fully

operational and them maintain a turnkey, telephone based, Interactive Voice Response (IVR) System. The purpose of the IVR is to provide voters and election officials with automated information about voter registration status, precinct and polling place information and other data relevant to the conduct of elections and voter registration.

2.0 Scope

The selected vendor shall provide any and all hardware, software, programming, setup, interfaces, cables, connectors, training, documentation and any and all other materials (including recordings) required to install, make fully operational and also maintain the system. Hidalgo County shall make available an agreed upon number of fully functional analog telephone lines in which calls shall be routed by the Countywide Telephone System to the proposed vendor system. The system will be designed to run unattended twenty-four (24) hours per day, seven (7) days per week.

Hidalgo County has approximately 700,000 residents and approximately 290,000 registered voters in its voter registration database. These voters reside in approximately 140 precincts and in a Presidential Election we typically use 95 polling places. Numerous smaller elections are held with typical county-wide contests using up to 40 polling places.

3.0 Timelines

The system must be fully operational on or before January 22, 2010 in order to handle calls about the March 2, 2010 Primary Election. Early voting for this election commences on February 16, 2010. Vendor must provide a complete implementation plan demonstrating the capability to meet this deadline and listing major deliverables.

4.0 Specifications

The system shall meet the following specifications including but not limited to:

4.1 Capability and Performance

4.1.2 Sufficient capability to answer calls by the second ring 99 percent of the time. The vendor shall describe the modeling they have done to meet such specification. Vendor shall identify three counties and appropriate contacts for verification of implementation of the system and a model of appropriate magnitude for Hidalgo County.

4.1.3 Full redundant hardware and software such that no single point of failure will take down the entire system (assuming power, air conditioning and phone lines to the Countywide telephone system).

4.2 Scripts must be presented as part of the proposal and be available to provide for at least, but not limited to, the following inquires/information:

- Polling Places for Early Voting

- Early Voting Requirements and Dates
- Polling Places for Election Day individualized for each voter
- Absentee Ballot Application
- Voter Registration Application
- Dates for Elections
- How to contract the Elections Department

4.3 Reports must be available which will document the following:

- Number of calls
- Number of calls in selected time periods
- Number of calls per subject area
- Number of calls per subject in selected time periods
- Other

4.4 Delivery and Installation must be completed, to include training the Hidalgo County Elections Staff and testing within the week of January 18, 2010 to January 22, 2010. Training will be conducted in the Hidalgo County Elections Department Training room. Vendor will coordinate with appropriate County agencies to assure preparations of the selected operational site.

4.5 Configuration will be presented to County for an appropriate evaluation prior to final selection. It must demonstrate technical setup and technical operational requirements such that it demonstrates a successful operation. Vendor must discuss any previous system challenges and how they are addressed in both manner and timeliness.

4.6 Testing will include a robust assessment of multiple calls and multiple subjects to approximate a short period of Election Day. System must receive and process all calls and print reports as required. Selected Vendor and the County will prepare and appropriate script for testing.

4.7 Acceptance will be completed after successful operation of the system during the March 2, 2010 election. Minimum acceptance will include:

- 1) System must answer 90% of all incoming calls on a timely basis, not later than 3rd ring.
- 2) System must correctly answer 98% of all calls in a 1 hour test period to be conducted prior to January 22, 2010.
- 3) System must be able to shut down and start again with no loss of capability or response time or accuracy.
- 4) System must produce reports that indicate type of call and time of call, by subject matter, for the period use of the test stated in 1 and 2 above.
- 5) System must meet same standards in 1 and 2 above in a subsequent test on January 22, 2010 to assure consistency in performance.

Capability Assessment:

Proposals should address the following areas:

1. Service standards currently in place to measure quality of service delivered to clients
2. Disaster-recovery plans for both data and personnel
3. Maintenance plans both after warranty and preventative
4. Information for handling transition with minimal disruption to ongoing operations
5. Sample of scripts
6. Sample of types of reports available
7. Minimum acceptance will include:
 - On-going maintenance plan must include scenarios, recordings, and costs addressing regularly scheduled operations and technical checks as well as a preventative maintenance schedule.
 - It should also identify proposed response times in the event of both emergency and non-emergency conditions.
 - Vendor must present a record of 3 most frequently maintenance issues and how the vendor resolved each. County prefers to have a warranty program for five years, on-site maintenance.
 - Vendor must present a warranty and maintenance cost schedule for both three and five years for evaluation.
 - Vendor must keep all software at current levels and install all upgrades that may be required over the life of the product.
 - Vendor must provide all software licenses to all third party products (like Microsoft Windows and Server products) as well as the call processing software.

PROPOSERS ARE TO PROVIDE A FEE SCHEDULE WITH THIS SUBMITTAL:

Proposer(s) is to provide a proposed fee on proposal page based on the scope of services/work requested.

RFPs must be submitted by no later than 9:30 a.m. on Wednesday, December 23, 2009.

RFP SUBMITTED TO: An original and seven (7) copies of RFPs should be submitted to:

<p><u>US Postal Mail Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2812 S. Business Hwy 281 Edinburg, Texas 78539</p>	<p><u>Physical Address:</u> Martha L. Salazar, CPPB, Purchasing Agent Hidalgo County Purchasing Department Administration Building 2802 S. Business Hwy. 281 Edinburg, Texas 78539</p>
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ADDITIONAL INFORMATION:

- All/Any costs and expenses associated with the preparation and submission of (bids, proposals and/or quotes) shall be the responsibility of the proposer and not reimbursements for such charges or expenses shall be passed onto Hidalgo County.

- Hidalgo County has the authority to utilize State Contracts from its membership with their existing or new cooperatives whenever it is in the County's best interest to do so.

SECTION III – SELECTION/EVALUATION/RANKING

EVALUATION COMMITTEE:

The County's evaluation committee will consist of the Elections Office Staff and member(s) of the Purchasing Department.

A. SELECTION/EVALUATION/RANKING PROCESS:

The RFP shall be submitted according to the schedule below. The County of Hidalgo is not required to select the proposal with the lowest fees, but shall take into consideration other factors, including past experience, evidence of good organization background, references, ability to provide requested services, and any other factors found necessary for quality services including a presentation of the proposed system. Hidalgo County will evaluate the proposal utilizing the evaluation criteria outlined in Exhibit "B" attached herein. Thereafter, Hidalgo County Commissioners Court will rank and/or award this proposal.

Proposals will be graded on a 100-point system with emphasis on ability to service Hidalgo County Elections Department, including, but not be limited to, the items listed below:

1. **Capability and Performance:** Company must state the approach and describe the modeling they have done to determine the number of required incoming lines to meet said specifications. Capability to handle calls as requested in achieving and rendering all services required by the County of Hidalgo. **25 points**
2. **Ability to commit to all Services Required.** Company should provide as much background information as to its experience in providing similar services to City, County or any other governmental agencies. Reference information should be as current as possible, especially contact persons and telephone numbers. **30 points**
3. **Ease of Support System & Response Time.** Ease of communicating with company's support system and the company's ability to have trained response team/person at service site. Qualified/trained response team (person) should be able to evaluate, diagnose and/or begin service immediately. **20 points**
4. **Cost Fees and Warranty.** In considering the proposals, the Hidalgo County reserves the right to select the acceptable applicant who offers contractual terms and conditions that are most

advantageous, including but not limited to software price and services price per day/hour. Maintenance Warranty should be available for three years and five years. **25 points**

Total 100 Points

B. RANKING OF PROPOSALS:

After ranking has been finalized, a fee proposal will be requested from the top-ranked firm. The County Commissioner's Court will then enter into negotiations process with the top ranked firm for the purpose of reaching an agreement. After an agreement is reached and negotiation efforts are successful, a contract in an approved County format will be drafted and executed with the firm for the required services. If negotiations prove unsuccessful, Commissioner's Court will terminate negotiations with the firm and will contact the next highest ranked firm to open negotiations. This process will continue until negotiation efforts are successful. The County of Hidalgo reserves the right to reject any and all RFQ/Ps. A Departmental Committee will evaluate and rank the written RFQ&Ps. After the RFQ&Ps have been ranked, the department will make a recommendation to the Hidalgo County Commissioners' Court.

If negotiations prove unsuccessful, the next highest ranked firm will be contacted. The County of Hidalgo County reserves the right to reject any and all RFQ&Ps. Hidalgo County will evaluate and score the RFP responses. After the RFPs have been evaluated and scored, Hidalgo County will make a recommendation to Hidalgo County Commissioners' Court for approval of rank and/or award of proposal before proceeding with negotiation process.

C. NEGOTIATION PROCESS:

Compliance with all requirements, the most cost productive, efficient and effective plan will be considered. Emphasis will be placed on capability to perform within the program as well as meeting the needs of Hidalgo County. Accuracy and completeness are essential. If negotiations proved unsuccessful, the next highest ranked proposer will be contacted. Hidalgo County reserves the right to reject any and all RFPs.

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