

VENDOR QUESTION AND RESPONSE LOG

WEB SITE DEVELOPMENT FOR THE CALIFORNIA PEER COURT DUI PREVENTION STRATEGIES PROGRAM

RFP No. CFCC-1106-RB

N o.	REF.	QUESTION	RESPONSE
1		If we are currently a vendor with an active contract, do we need to bid for this position?	Yes.
2		A statement was received from Applied Technology, Inc. requesting that it be identified as an interested DVBE to provide services in connection with accessibility requirements.	<p>Bidders must be able to develop a website that is compliant with federal Section 508 (§1194.22) standards. See section 3.3 on page 9 of the RFP. Bidders must provide examples of websites it has previously developed that meet the requirements of Section 508.</p> <p>Since the AOC does not certify DVBE suppliers, bidders may consider using suppliers that are federally certified or certified by other state agencies</p> <p>As a benefit to all interested bidders, the following link to the State's DGS website is being provided, which contains information about Applied Technology, Inc. and other potential suppliers.</p> <p>http://www.pd.dgs.ca.gov/pricesched/adaptive/index.htm</p> <p>Note that the AOC does not endorse any supplier. Therefore, it is the bidder's responsibility to determine if a supplier on the DGS website or other source provides a service that can be utilized by the bidder and if such suppliers meet certification requirements of this RFP.</p>
3		The contract terms are very one-sided, in AOC's favor. Will contractors be able to negotiate some of the terms so they are more reasonable and evenly distributed?	Please submit exceptions to the contract terms along with your proposal by citing the RFP Page number, Exhibit, paragraph number, proposed language and rationale for the proposed change.

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4	1.1 Background, 3rd paragraph states:	<p><<The target population is teenagers arrested on misdemeanor charges and minor felonies—anything from graffiti writing to small-time drug sales. Peer courts usually handle nonviolent, first-time defendants accused of shoplifting, vandalism, starting schoolyard fights, possessing or abusing alcohol or drugs, and crimes unlikely to be prosecuted otherwise.>></p> <p>Question: There are statistical references in the RFP to persons aged 16 to 20, and also to persons aged 16 to 25. A “teenager” ceases to be so after age 19. So that we may better understand who the target audience for this Web site is, please define “teenagers.”</p>	<p>The primary target audiences are teens age 14 through 18 years who are assessed to be at-risk for drug or alcohol abuse.</p> <p>The secondary target audiences are parents/guardians of teens who peruse the Web site, and other teens are who are drivers, age 15 through 18 years.</p>
5	RFP page 12, Table 1, Project Timeline	The Deliverables Timetable lists when funds will be released. What percent of the funds will be released upon completion of each "Reimbursement" milestone?	Reimbursement will be made upon completion of each specific project deliverable and the amount will be determined by the amount specified in the contract, which is based on the bidders proposal which should contain the projected compensation the consultant will require to finish a specific deliverable. Total compensation cannot exceed the contract award amount.
6		When will AOC accept the first invoice?	Anytime after the first deliverable is completed and acceptance of work is approved by the AOC.
7		How long does AOC take to pay invoices (i.e., what are AOC's payment terms)?	The AOC cannot commit to making payments in less than 60 days after receipt of an invoice, as the AOC must process invoice claims through an entity in the State's Executive Branch in order to render payments. However, the AOC will endeavor to make payments more quickly than 60 days after receipt of invoice, and can often do so, but such a schedule is dependent upon factors such as whether or not an accurate and appropriate invoice was received, volume of processing activity (e.g. fiscal year-end tends to be hectic), and impacts to processing time that may be beyond our control.

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8		<p>The contract states that AOC "may" decide to retain a percentage of each payment that is due. We would appreciate more specific information about this possibility. What is AOC's decision in this regard? If AOC intends to retain a percentage of interim payments due to the contractor, what basis or criteria will AOC use to make this decision: How much of a percentage does it plan to retain? This is too substantive a statement to remain in the air, and so we believe we deserve firm information about this before the fact.</p>	<p>Retainage would be made on deliverables that may need revision or correction prior to final acceptance. Things like administrative expenses, incidental expenses, and travel would not require retainage. Please submit your proposal based on the 10% retainage of all deliverables and exclude retainage on administrative expenses, incidental expenses, and travel. Final determination will be made following evaluation of proposals and during contract negotiation.</p>
9		<p>The Deliverables Timetable anticipates delivery of a functional Web site by February 28, the latest (I'm assuming the date, since AOC does not provide a specific date; all it indicates is "February").</p> <p>CONCLUSIONS: (a) For the contractor, fulfilling the deadline is key because payment depends on it (basically, it is not smart business to produce work and to perform the contract over an extended period of time without any remuneration. We have no protection against this occurring.). (b) Fulfillment of the deadline is in large part controlled by AOC (if AOC delays production for any reason, we are essentially working without payment.) Therefore, the timetable for delivering a functional Web site by or on February 28, 2007, is only feasible if AOC complies with the following criteria</p> <p style="padding-left: 40px;">(1) Provides 100% of the Web Site Plan, 100% of the content, and all relevant information, by January 12, 2007 the latest.</p> <p style="padding-left: 40px;">(2) During the production period, responds to the contractor's questions and/or requests for materials on the same day, or at the latest, within 24 hours.</p> <p>Question: Will AOC be able to fulfill these requirements for full submission of materials and content, and expeditious responses?</p>	<p>AOC will provide the required content necessary for the planning and design of the Web site by January 19, 2007; however, we may provide supplementary content, other relevant information, or minor updates by January 31, 2006. We will provide advance notice regarding possible submission of content after January 19, 2007. The consultant will be paid on schedule after receiving quality work that reflects all content given by January 19, 2007 and the majority (if not all) of content given after January 19, 2007. Consultant needs to provide advance notice if content given after January 19, 2007 will not be posted on the Web site by the live due date.</p>

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10		<p>We don't see any controls in the contract terms and exhibits that protect the contractor against AOC deciding after it has selected and approved comps and after the work is done to specification that it doesn't like the result (e.g., it doesn't like the color palette, or the imagery, or the layout, etc., which is usually the case when there is more than one person on the client side making decisions). "Do overs" should be limited to solely adjustments needed because the contractor has substantially misinterpreted or not complied with the specifications.</p>	<p>After the AOC has approved comps, and the contractor delivered the final product as approved, then additional modifications would be considered outside the scope.</p> <p>AOC will require "do overs" if the contractor has misinterpreted or not complied with the specifications. However, AOC may require minor modifications to the Web site prior to the live due date based on the results of the Web site evaluation done by staff or due to sudden changes in policies that cannot be foreseen. The AOC will give advance notice of the desired changes to the Web site and will not penalize consultant if the AOC does not give reasonable time to make the changes to the Web site.</p>
11		<p>How many comps (mockups) does AOC expect?</p>	<p>Two to three variations of mockups presenting different ways/ideas to address the Web site.</p>