

RFP Ins2009-02
Questions and Answers

1. What is the start time for the Mandatory Pre-proposal Conference in Harrisburg on Thursday, September 10? Could the Department provide this information to offerors prior to the conference?

Answer: The mandatory pre-proposal conference was held on September 10, 2009 at 10:00 a.m. This information was posted on the DGS website prior to the conference.

2. Under Section I-20 Best and Final Offers, in the second sentence of the second paragraph, there is reference to "alternate proposals as permitted by Section II-5." Is this an error since Section II-5 requests offerors to provide Company and Personnel File information, and Section I-16 of the RFP states that alternate proposals will not be accepted?

Answer: The reference should be to I-16. Alternate proposals will not be accepted.

3. Regarding I-25 Term of Contract, should the contract end date of June 30, 2010 at the end of the second sentence in this section be changed to June 30, 2015? If so, does the contract begin on June 30, 2010, or is the contract start date the Effective Date as defined in I-25?

Answer: The end date of the contract is June 30, 2015. The effective date of the contract is July 1, 2010. Please note that the contract does not commence until all necessary Commonwealth contract approvals are secured.

4. Under Section I-30 Rejection of Collusive Proposals, the last statement says that each offeror must sign and submit the "Non-Collusive Affidavit—the Anti-Bid Rigging Act" as shown in Appendix E. In which part of the proposal should offerors provide the completed Appendix E affidavit, with the Cost Submittal or the **Technical Submittal**?

Answer: The "Non-Collusive Affidavit—the Anti-Bid Rigging Act" must be submitted with the Technical Submittal.

5. Regarding II-11 TAB 11 Ownership of Information, Materials, and Deliverables, could the Department clarify that it will retain ownership of the Pennsylvania-specific portions of the insurance examinations developed during the course of the contract, and that it will not claim

ownership of the Offeror's national insurance examinations that were developed prior to the contract, but that would, however, be used in the performance of the contract?

Answer: The Department does not claim or retain ownership to the vendor's questions on the Pennsylvania exam or any questions from the national database.

6. Under II-16 Tab 16 Cost Submittal, should the reference in the first sentence to Part II, Section II-14 be changed to Section II-16?

Answer: Yes, the reference in the first sentence should state in Part II, Section II-16.

7. Under IV-2 Nature and Scope of the Project, item 3, Examination Structure, c) Motor Vehicle Physical Damage Appraisers exam, how many individuals take the practical portion of the Motor Vehicle Damage Appraisers examination each year?

Answer: There were 390 individuals who took the exam in the prior year. This has been the average for the last 3 years.

8. Also in regard to IV-2, Nature and Scope of the Project, item 3 c), how are the motor vehicle physical damage appraisers practical exam scores transmitted to the Department and to the testing vendor for written and practical exam score consolidation?

Answer: The vendor scores the exams and then reports the scores to the Department. Presently a subcontractor, Vale Tech, is used for the practical exam.

9. Regarding IV-2 Nature and Scope of the Project, item 7, Meetings, how many public meetings should the Offeror expect to conduct each year?

Answer: There should not be more than two required public meetings in any given year.

10. Regarding IV-3 Requirements, Item 3. Continuing Education, can the Department provide Offerors with the number of insurance licensees there are in Pennsylvania, and of this number, how many are residents vs. non-residents and how many are active?

Answer: There are approximately 72,000 resident producers and 109,000 non-resident producers; however, only residents are subject to continuing education. All 181,000 hold active licenses as of September 1, 2009.

11. Regarding RFP Section IV-3, Item 11 Examination Development, are there any examination items (questions) that the Department owns that it will share with the selected Offeror to contribute to the examination question bank for each license type which the Offeror should consider in estimating its examination development costs? If yes, how many questions per license type will be provided?

Answer: No, all questions at the present time are proprietary to the present vendor.

12. Regarding Part IV-5 Reports and Project Control, could the Department provide samples of the operations reports and the Annual Report requested in this section?

Answer: Yes, we have report formats that we can share with the vendor awarded the contract.

13. Regarding the Standard Purchase Order Terms and Conditions, item 12 Ownership Rights, in performance of the services under any resulting contract, contractors will utilize significant existing proprietary computer programs, source code, materials, test items, tests and intellectual property that have been previously developed by the contractor or its 3rd party licensor ("Contractor Intellectual Property"), some of which may be trade secret, copyright, patent and trademark protected. We presume the Commonwealth understands the contractor or its licensors will retain all Intellectual Property rights to Contractor's Intellectual Property; is our presumption correct?

Answer: Yes, the Commonwealth understands that all property rights to the test materials will remain with the vendor.

14. **RFP Page 23** - Please verify all current fees and indicate how fees are broken out and remitted to the State (e.g. fingerprinting).

Answer: We believe this is a three part question. First, the following chart is a list of all the exam fees and the fingerprint processing fee paid to the vendor by the candidate.

Exams		Fee
16-01	Producer's Life Insurance	\$44
16-02	Producer's Accident & Health Insurance	\$44
16-03	Producer's Life, Accident, Health or Sickness	\$55
16-04	Producer's Property Insurance	\$44
16-05	Producer's Casualty Insurance	\$44
16-06	Producer's Property and Casualty Insurance	\$55
16-09	Producer's Surplus Lines Insurance	\$44
16-10	Agent's Title Insurance	\$44
16-15	Appraiser's Motor Vehicle Physical Damage	\$89
16-16	Producer's Personal Lines Insurance	\$44
16-17	Viatical Settlement Brokers	\$44
16-18	Public Adjuster Solicitor	\$44
16-19	Public Adjuster	\$44

Second, the licensing application fees and the fingerprint fee that is paid to the state for new resident insurance producer applicants is captured by Sircon through the electronic application process and remitted to the state by Electronic Funds Transfer (EFT) by Sircon. The following chart is a list of the exam fees and the \$39 fingerprint fee paid to the state.

License/Service	Fee
New Resident Insurance Producer Individual or Business Entity	\$55
Amended Resident Insurance Producer Individual or Business Entity	\$25
Resident Insurance Producer Individual or Business Entity Renewal	\$55
New Non-Resident Insurance Producer Individual or Business Entity	\$110
Amended Non-Resident Insurance Producer Individual or Business Entity	\$25
Non-Resident Insurance Producer Individual or Business Entity Renewal	\$110
New Motor Vehicle Physical Damage Appraiser	\$55
Motor Vehicle Physical Damage Appraiser Renewal	\$55
New Public Adjuster Individual or Business Entity	\$100
New Public Adjuster Solicitor	\$50
Public Adjuster Individual or Business Entity Renewal	\$100
Public Adjuster Solicitor Renewal	\$50
New Surplus Lines Individual or Business Entity	\$100
Surplus Lines Individual or Business Entity Renewal	\$100
New Resident Title Agent Individual or Business Entity	\$55
Resident Title Agent Individual or Business Entity Renewal	\$55
New Non-Resident Title Agent Individual or Business Entity	\$110
Non-Resident Title Agent Individual or Business Entity Renewal	\$110
New Viatical Settlements Broker Individual or Business Entity	\$100
Viatical Settlements Broker Individual or Business Entity Renewal	\$100
Fingerprint Fees	\$39

Third, again the first chart are fees paid to the vendor by the candidate or applicant and none of these fees are remitted to the state. The application fees from the second chart and \$39 fingerprint fees are remitted to the state by Sircon, not the vendor.

15. **Page 23** - Please provide the number of candidates tested / fingerprinted at each location for the prior year.

Answer: Approximately 20,000 exams were administered in 2008 and 7,609 individuals were fingerprinted. We do not track individual location statistics.

16. **Page 24** - What is the percentage (%) weight for each evaluation criteria category?

Answer:

Technical: The Issuing Office has established the weight for the Technical criterion for this RFP as 50% of the total points.

Cost: The Issuing Office has established the weight for the Cost criterion for this RFP as 30% of the total points.

Disadvantaged Business Participation: BMWBO has established the weight for the Disadvantaged Business Participation criterion for this RFP as 20% of the total points.

17. **Page 24** - Who is on the evaluation committee?

Answer: The names of the evaluation committee members are not considered public information.

18. **Page 27** - Who owns the current test items? If the Department owns, please provide the following statistics: how many items are available, what format can they be provided in?

Answer: The present vendor retains property rights to the exam questions.

19. **Page 29** - Please explain the type of exam to be administered for the Motor Vehicle Physical Damage Appraiser exam and define the term "computer assisted design" (CAD).

Answer: The MVPDA exam has 2 parts. First the written test on laws is administered in a computer based format. The second or practical exam is presently administered in a hands-on environment by Vale Tech under subcontract to the present vendor. The Department wishes the practical exam to be administered in a computer based format. Computer Assisted Design (CAD) is technology utilized for graphic display of motor vehicles.

20. **Appendix D, Cost Submittal Form** - For PLE and CE rosters processed, the current vendor charges a fee for each student on the roster (not by the number of rosters processed). Please provide the number of students that completed a course from 7/1/08 to 6/30/09.

Answer: Approximately 102,000 course filings were done in this time frame.

21. **Appendix D, Cost Submittal Form** - What is the definition for the line item "Education course filing fees for each completed course?" The volume is stated as 511,000 transactions annually. What is the current fee for this process?

Answer: The course filing fee is \$5.00 per course filed and the 511,000 is the revenue generated from approximately 102,000 courses completed and filed.

22. Will the pre-bid conference be available via conference call? Or will we be required to attend in-person? Also if we are required to be in attendance where will the meeting be held?

Answer: No, it is a mandatory in-person attendance conference in Harrisburg.

23. What is anticipated award date?

Answer: The Department will award the contract as soon as possible. Our goal is to award the contract before December 1, 2009.