

MONTGOMERY COLLEGE • OFFICE OF BUSINESS SERVICES  
REQUEST FOR PROPOSAL TITLE: INFORMATION TECHNOLOGY STAFFING AND CONSULTING SERVICES  
RFP NUMBER: E523-011  
RFP CLOSING DATE AND TIME: APRIL 19, 2023 @ 3:00 PM



**ADDENDUM #2**

Issued: April 4, 2023

**ADDENDUM FOR THE PURPOSE OF:**

- To provide the attached questions and answers
- To extend the Closing Date, from April 12, 2023 at 3:00 p.m., to April 19, 2023 at 3:00 p.m.

**All other specifications, terms and conditions remain unchanged.**

A handwritten signature in black ink, appearing to read 'Patrick Johnson', written over a horizontal line.

**Patrick Johnson, MBA**  
Director of Procurement

Please **sign** below to acknowledge receipt of this Addendum and return with the proposal. Failure to return this Acknowledgement of Addendum may deem a proposal nonresponsive.

**NOTE:** All proposals MUST BE RECEIVED **electronically** by 3:00pm Eastern Daylight Time (EDT) on **April 19, 2023**.

Electronic proposal and addendum or addenda shall be sent to the following email address prior to the submittal deadline date and time at [vendor.proposals@montgomerycollege.edu](mailto:vendor.proposals@montgomerycollege.edu). **No responses will be accepted after this date and time.**

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed/Typed Signature

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Vendor Questions	MC Response
1. Should we provide sample resumes for all labor categories listed per each functional area we bid on or can we submit a few labor categories that gives the Montgomery College insight on our capabilities and quality of resources?	For the purposes of this RFP, and as part of their response, proposers must provide sample resumes for contractors in <b>each</b> functional area, they are <u>proposing</u> . If a functional area has six categories, then six resumes are expected. Sample resumes are just that “ <b>sample</b> ”; no real names or information is needed, just a sample of a resume, redaction is acceptable.
2. Is this a new assignment? If not, who are the incumbents?	This is a Rebid. The current contract for these services expires, June 30, 2023. There were thirty-nine awardees. See attached incumbent list.
3. Is there an estimate of the number of resources Montgomery College plans to request per each labor category or functional area?	An estimate is not available, it will be based on need.
4. Our Contracts team reviewed the Terms and conditions and need clarification on following clause: Acceptance Period; 90-day guaranty.	The language does not state that contractor would not be paid for 90 days’ worth of work. It only speaks to termination based on non-performance.
5. Does the College Expect to hire 3, 6, 12 months or longer?	It will depend on the needs of the College.
6. What percentage of work is expected to be onsite vs remote?	The decision will be made by MC’s hiring manager.
7. Citizenship Expectations? Citizen, Green Card or H1B Visa	The hired Contractor must be authorized to work in the United States. Documents that Establish Both Identity and Employment Authorization are required.
8. Any vaccination requirements or validations required as of March 2023?	No, not at this time.
9. Parking Permit – what is the cost for a contractor? Per week/per month etc.? What percentage do you expect resources to travel between sites?	For hired Contractors the annual parking is \$150. Limited if any.
10. Please explain “Call-Out”. Example of a Call Out.	The College to the best of its ability will provided forty-eight-hour notice of cancellation for scheduled work day or termination of hired Contractor.
11. Please share all documents that may need to be signed by the personnel (Confidentiality Agreements, NDA, etc.)	A sample of the non-disclosure agreement is attached at the end of questions and answers section.
12. Please confirm the Statement. Is this converting a Montgomery College temporary employee to a Contractor. Or Contractor Personnel to Montgomery Employee. If it is: “Montgomery College temporary employee to a Contractor” please explain this situation, and how many people might be included in this.	If Montgomery College has a casual temporary hire working at the college, we may want to transfer that person to become an employee at the staffing agency. The College would then hire that person as a temp through the staffing agency. Unable to predict at this time the number of casual temp staff this might include.

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13. "Forms Acknowledging the loan of College equipment" Please share this form.	The form is called: "Receipt of Mobile Computing Device", a copy attached at the end of questions and answers section.
14. When should we expect to hear the results for this RFP?	Late May to early June. The contract requires approval from the College's Board of Trustees before the actual award(s) can be made. The board meeting will be held, June 21, 2023.
15. Per your RFP, we will need prior written approval to subcontract for any staffing engagement. Can you please acknowledge we are OK to subcontract for payroll purposes?	If using a subcontractor, the College will review and approve if the vendor is awarded the contract.
16. Will the consultant need to work after-hours? How often?	Please refer to section 3.13 of the RFP document for working hours.
17. What is your current and complete vaccination policy? Regarding Covid, are there vaccination or PPE requirements?	Effective January 1, 2023, masks are optional in all MC locations. Vaccination is not required for students, employees, contractors, and visitors to be present on campus. Visit MC's COVID 19 website for additional information. <a href="https://www.montgomerycollege.edu/offices/public-safety-health-emergency-management/public-health-and-environmental-safety/covid-19/index.html">https://www.montgomerycollege.edu/offices/public-safety-health-emergency-management/public-health-and-environmental-safety/covid-19/index.html</a>
18. 1. What is the certification and education requirement for each position? 2. How many interviews will MC conduct for these resources? (Onsite interview or video interview?)	1. See Section 4, Functional Areas. Educational and experience requirements are listed for each functional area. 2. MC hiring managers will review resumes and schedule interviews with qualified candidates accordingly. The hiring manager will make the decision if interview(s) will be conducted onsite or virtual.
19. Is a standard background check sufficient or is a more extensive background check required? Is fingerprint also a background check requirement? Is drug testing required? Education verification?	The awarded Contractor shall certify that background checks/reference, fingerprinting, education verification, including local and nationwide criminal database and sex offender registry has been conducted and results deemed satisfactory on all temporary personnel assigned to MC.
20. Would you allow multiple POC as backups?	Yes.
21. What will make a successful candidate for these positions? (Please include soft skills and technical skills)	See Section 4, Functional Areas. Educational and experience requirements are listed for each functional area.
22. Will we be allowed to work directly with the hiring managers on these positions?	Yes.
23. Do you have a tiered system and how is performance being measure (is it by the 72-hour submittal mark?)	How well a hired Contractor is performing is determined by MC's hiring manager(s).
24. Historically, what is the average amount of requisitions needs you would have in 12-month duration?	Historical data is not available. It will depend on the need of the College.
25. What is your current IT team size?	Estimate 100 -150 employees & contractors. There are 38 positions in the Infrastructure and Engineering Services group in IT.

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26. In Attachment F – General Conditions and Instructions, Termination for Default, will Montgomery College confirm that contractor is still entitled to payment for services accepted by Montgomery College and/or payments made prior to the date of termination?	Yes.
27. Section 3.2 Experience and Past Performance: Will the experience and past performance of subcontractor's be accepted?	Yes, if using a subcontractor, the College will review and approve if the vendor is awarded the contract.
28. Section 1.2 Electronic Bid Submittal Due Date: In light of questions due on 03-27 and subsequent answers posted, which only leaves a maximum of 4 business days until the due date, would it be possible to grant an extension?	The RFP closing date has been extended to April 19, 2023.
29. Can you please provide guidance on which section of the proposal the resumes should be included under? We assume resumes will be included under 6.2.4 Statement of Qualifications, but if you would please confirm, it would be greatly appreciated.	Placement of documents is up to the Bidder's discretion. Section 6.2.4, Statement of Qualifications; refers to a statement of the Offeror's qualifications which should include the following: Professional qualifications and technical competence of the firm, subcontractors, and staff proposed for the performance of the required services. Resumes can be submitted at your discretion.
30. 1. Is there a designated set-aside percentage for this vehicle i.e., SDBE? 2. Are subcontractors allowed? If so, are any affidavits required? 3. Are JVs allowed i.e., two women-owned firms? If so, are both firms to offer references or only three in total?	1. No. 2. Yes, if using a subcontractor, the College will review and approve if the vendor is awarded the contract. Affidavits are not required. 3. Yes, JVs are allowed; however, Offeror must provide separate proposals and separate references.
31. 1. What are the historical volumes of spending annually in the program? 2. Are there any incumbent companies that currently provide these services to the agency? If yes, who are they? 3. Is there any forecasted/approved budget for this opportunity?	1. The current contract was awarded in 2018, and was barely utilized during first two years, and used very little during COVID. Spend to date will not provide an accurate picture of anticipated future spend. Total estimated spend from 2018 thru 2023 is around \$1,210,867.00. 2. Yes, currently, 22 <sup>nd</sup> Century, Data Networks, LanceSoft, & TEKsystems. 3. Budget is based on allocated funding.
32. 1. We are registered in Delaware. Can we bid for the project? 2. If we are awarded the contract can we register in state of Maryland and do other formalities.	1. The Contractor must be registered to do business in the state of Maryland at time of proposal submittal. Each bidder must meet all of the requirements to move to the next stage of the evaluation. 2. See answer above.
33. Are we allowed to team up with another company to submit a combined proposal for this RFP? If yes then, can either company's certification (such as minority) and past performance qualify against the requirements? Or do each of the team members have to meet the requirements individually?	Yes, proposing firms can team up; however, resultant purchase orders will only be issued to the "lead" proposing firm.

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<p>34. 1. Are all sample resumes intended to be W2 employees of the firm responding to the RFP?  2. Are all positions on-site, remote, or hybrid?  3. Is there any anticipated travel between campus sites?  4. Are rates intended to be fully loaded or will inter-site travel be billable?  5. Do sample resumes need to include full names and contact information, or can that information be redacted?</p>	<p>1. No.  2. The decision will be made by MC's hiring manager.  3. Limited if any.  4. Rates offered are to be the billable hourly rate the College would be charged. The College will not pay travel cost for the hired contractor.  5. Sample resumes are just that "sample"; no real names or information is needed, redaction is acceptable.</p>
<p>35. 1. Is this a new initiative? If not, please provide the names of the current vendor(s) providing the services.  2. Can you please let us know the previous spending of this contract?  3. Please confirm if we can get the proposals or pricing of the incumbent(s).  4. Are there any pain points or issues with the current vendor(s)?  5. Please confirm the anticipated number of awards.</p>	<p>1. No, see the attached list of incumbents.  2. See answer under question number 34.  3. Incumbent hourly rates are considered confidential. Vendor proposals are not available at this time.  4. No, pain points.  5. Up to three contracts will be awarded for each Functional Area.</p>
<p>36. Our company is currently providing services to Montgomery College under Master Agreement #91372 between the University System of Maryland (USM)/ Maryland Educational Enterprise Consortium (MEEC). Is it possible to provide services under this contract and under the contract resulting from this RFP?</p>	<p>Yes.</p>
<p>37. Do we need to submit ATTACHMENT G – MID ATLANTIC PURCHASING TEAM RIDER CLAUSE? It has vendor information section on page 52.</p>	<p>No.</p>
<p>38. 1. Is remote work Permitted?  2. Is there any requirement for any services to be provided onsite? If so, what is the process of reimbursement?  3. Estimated Project Budget?  4. Is the entity bound to accept the lowest bid?  5. Would you be able list the current incumbents? If so, some insight on the shortcomings of the current incumbents?</p>	<p>1. Yes.  2. Onsite services may be required. Rates offered are to be the billable hourly rate the College would be charged. The College will not pay travel cost for the hired contractor.  3. See answer under question number 34.  4. No.  5. See the attached list of incumbents. No, shortcomings.</p>
<p>39. 1. Section 3.3 Approach of the RFP states, "For the purposes of this RFP, and as part of their response, proposers must provide sample resumes for contractors in each functional area they are proposing." Can you please clarify if sample resumes are required for all labor categories/positions within a proposed functional area?  2. In addition, can you please provide guidance on which section of the proposal the resumes should be included under? We assume resumes will be included under 6.2.4 Statement of Qualifications,</p>	<p>1. As the RFP states; proposers must provide sample resumes for contractors in each functional area they are proposing.  2. Section 6.2.4, Statement of Qualifications; refers to a statement of the Offeror's qualifications which should include the following: Professional qualifications and technical competence of the firm, subcontractors, and staff proposed for the performance of the required services. Resumes can be submitted at your discretion.</p>

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but if you would please confirm, it would be greatly appreciated.	
40. The RFP states: "The Contractor will be given up to seventy-two (72) hours of the request to provide suitable candidates." Does this mean candidates' resumes and information must be provided within 72 hours, or should candidates be available for work within 72 hours?	Potential recommended candidate resumes to be provided within 72 hours of a request if possible.
41. Does Attachment F, General Conditions and Instructions, require a signature to agree to its terms and conditions?	See Attachment D "Contractor Information Form", item C.4 of the RFP.
42. Section 4, Pages 17 through 19, of the RFP describes Functional Area 1 labor categories and qualifications. On page 18 through 19, the Project Manager (PM) requirements are listed under the Technology Project Management heading. The PM requirements are Bachelor's Degree and Project management certification. Are there similar educational and certification requirements for the Strategic Planning Assistance, Risk Assessment Analysis, and Business Process Reengineering (BPR) positions?	Some positions may not have the educational requirements listed, but may be highly desirable in some cases.
43. Is the College good with offshore resources providing support?	3. It depends if the hired contractor is required to work onsite. The determination is made by MC's hiring manager and the needs of the College.
44. 1. Do we need to provide the COI with our proposal? 2. Do we need to provide the hourly rates including markup or excluding markup?	1. Certificate of insurance is due within seven (7) days of notice of award. 2. The price(s) offered on the Price Proposal must include all charges and costs including travel and/or other reimbursable costs incurred in the delivery of this procurement.
45. Can proposers use state and local government experience in lieu of higher ed experience? 51. Do all references have to be from higher ed institution?	Yes.  No.
46. Is this a cooperative contract?	No.
47. When is the anticipated start date for this project?	The initial contract term is July 1, 2023 thru June 30, 2024.
48. 1. Is the anticipation for the staffed role to function as an adjunct professor? 2. Is this role designed to serve students directly or consult with those in the College Administrative Office? 3. How often will the consultant meet with staff or students? 4. Could this role function virtually or is it anticipated to be in person?	1. No. The temporary positions would be within the department of information technology. 2. Certain positions may require limited interaction with the College community. 3. Consultant will meet with staff and/or students on an as needed basis. 4. Remote Work is permitted at the discretion of the hiring manager.
49. How many points does the pricing yield for this solicitation?	See Section 5, Evaluation and Award, 5.1.2.
50. How many contractors currently at MC?	Estimated total 10 to 20.
51. Will MC accept electronic/digital signatures for the required forms?	Yes.

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52. Page 7 of the RFP under section 1.27 Public Record and Proprietary Information, "Each Offeror must submit a proprietary and confidential redacted copy of its proposal to be used in responding to MPIA requests." If we want to provide a redacted version, should it be included with our submission or will vendors be notified and allowed at a later time to provide a redacted version if a request is made for disclosing submitted proposals?	Vendors would be notified and allowed at a later time to provide a redacted version if a request is made for an Offerors proposal.
53. In Attachment C, Non-Debarment Acknowledgement it has a "witness name and title" signature line. Is this document meant to be notarized?	No.
54. In Attachment D, Contractor Information Form it states, "C.4 Please list any exceptions taken to any terms and conditions listed in the RFP. Please note any exceptions taken may affect the award of a contract or purchase order." How should vendors submit exceptions/redlines? Can we add an attachment to the Attachment D form listing exceptions/redlines if space is needed?	Yes.
55. Pg. 10, Section 3.5 Designated Account Manager/Recruiter, MC is asking for us to name the key Account Manager/Recruiter and indicate other key personnel. Confirming that the only resume here being requested is of the proposed Account Manager/Recruiter?	Yes.
56. Section 3 – 3.8 Placement Assurance. Can you clarify that a contractor will not have more than 72hrs to provide suitable candidates for an opportunity? Does that time mean having suitable candidate resumes for backfilling/staffing the position or the onboarding process of a new candidate in a 72hr turnaround time which provides not much flexibility?	Potential recommended candidate resumes to be provided within 72 hours of a request if possible.
57. Section 3 – 3.13 Work Hours. The nationally observed 8 holidays listed (64hrs) are accounted for as standard. What are the average days off total for Spring and Christmas/Winter Break (>80hrs hrs. total)?	March 17: Spring break; College closed. December 23–January 1: Winter break; College closed.
58. Section 3 – 3.15 Termination/Replacement Staff. Can you clarify if the contract vendor will be notified prior any concerns of staff not fulfilling their responsibility prior termination? This allows the contractor to take any performance improvement measures with employed staff at question.	Yes, the vendor would be notified with any concerns by the hiring manager if the hired contractor is not fulfilling their responsibility.
59. Section 3 – 3.18 Placement of MC Temp Employees. Can you clarify the discount requirement for hiring either graduate/current MC employees for temporary employment? Is there a standard discount that is required or standard?	Transition discount percentage can be applied to the initially requested term. If a discount is to be offered it is determined by the Vendor.



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60. 1. Is there any preference given to the local vendors? 2. Is a bid re-compete of an ongoing contract? If yes, then please share the details of the incumbent? 3. How many vendors does the agency intend to award?	1. No preference is given. 2. See attached incumbent list. 3. Up to three contracts will be awarded for each functional area.
61. 1. Do you need actual resume or sample resume or just pricing? 2. Can we provide commercial references? 3. Can you also provide prices or the awarded proposals of ongoing contract? 4. Can you provide previous awarded proposals? 5. Do you need references related to the k-12 or schools or university? 6. Do you need MBE certified firm specifically in state of Maryland?	1. Both 2. Yes. 3. Incumbent hourly rates are considered confidential. 4. Vendor proposals are not available at this time. 5. The Offeror must provide three (3) references within the past three years that are capable of confirming the Offeror's experience in providing the same or similar level of services. Experience providing services to higher education institutions of similar size and scope to Montgomery College is highly desirable. 6. MBE is not a requirement.
62. What is the work location of the proposed candidates?	It depends were the need is, but most likely Central Services Building in Rockville.
63. Is there any mandatory subcontracting requirement for this contract? If yes, Is there any specific goal for the subcontracting?	Subcontracting is not mandatory.
64. 1. How many requisitions were filled in the previous contract? How many requisitions will be required per year or throughout the contract? 2. If the proposed candidates are not available at the time of award, will the agency allow us to provide replacement personnel with similar or more skill sets? 3. Can we provide hourly rate ranges for the given positions? 4. Are there any mandated Paid Time Off, Vacation, etc.?	1. See answer under question number 34. Unknown. 2. See Section 3, 3.6 of RFP on staffing request. 3. See Section 7 of RFP, Price Proposal. 4. See Section 3, 3.13, work hours.
65. How many positions has the College requested in the last 3 years? What has been the average or typical duration (in days, months, or hours) for positions requested in the past?	See answer under question number 34. Duration of assignments vary.
66. What percentage of temporary personnel has the College converted to full time employees in the past?	None, under the current contract.
67. 1. What is the required response time from when the College makes a request for a temporary contractor to when a vendor is expected provide candidates? 2. How will the College choose a candidate from one the awarded vendors? Since, vendors will have different rates and candidates with different skills and experience.	1. See Section 3, 3.6 of RFP staffing request. 2. It depends on the availability of qualified/experienced candidates presented for a particular position. 3. No, see Section 5, 5.1.2, Evaluation Criteria. 4. Yes. 5. No overtime (hours worked beyond 40 hours per week) will be compensated unless prior approval is given by the MC hiring manager and contract



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3. Does the client's evaluation process provide an advantage of any kind for local businesses? 4. Has the College ever awarded this work to a non-local vendor? 5. Will that contract allow a vendor to bill for overtime, even in just cases of travel?	awardee. Hourly overtime rates will be paid by the College at straight time (normal hourly bill rate).
68. 1. Is it required to provide a brief description of the offeror's technical competencies for each selected functional area or write a description once for all the functional areas a company opts to go after? 2. For the First Functional Area of "IT Management & Project Management Consulting Services", should a proposer provide a resume for the example which is the Project Manager or for the Sub Task Areas which are listed as Strategic Planning Assistance, Risk Assessment Analysis, Business Process Reengineering (BPR) and Technology Project Management Services?	1. See answer under question number 1. 2. Proposer provide a "sample" resume for the Project Manager.
69. Could the College please confirm that we can fill out proposal forms electronically?	Yes.
70. Is there any SBE/MBE/WBE goal for this solicitation? If yes, What is the established goal?	No, there is none.
71. 1. Is there a Page limit/Formatting Instructions for the Resumes?	1. No.
72. For the following roles (Application Programmer, Sr. Application Programmer, Software Engineer, what programming languages are required?	Programming Languages that we utilize are PL/SQL, SQL, Java, PHP and ASP.NET.
73. If vendor is to structure response based on 6.1 Proposal Organization, there is no header reference in the outline for yellow highlighted areas. Please advise where to place? ref" 6.2.2 Include in Technical Proposal the following: Transmittal Letter/Statement of Qualifications Requirements Checklist (Attachment A1) Completed Reference form (Attachment A) Conflict of Interest Statement (Attachment B) Non-Debarment Acknowledgement (Attachment C) Completed Contractor Information Form (Attachment D) Subcontractor Listing (if applicable) Acknowledgement of Receipt of Addenda (if applicable)	Offeror's Proposal shall be organized in the manner outlined in Section 6, 6.2. Placement of documents is up to the Bidder's discretion.
74. 1. Do we have to provide any bid bonds? 2. Do we have to fill ATTACHMENT G – MID ATLANTIC PURCHASING TEAM RIDER CLAUSE 3. If we are not including any participating agency, can we just write NOT APPLICABLE for	1. No. 2. No. 3. The rider clause allows Participating Agency (MAPT/COG) members that wishes to piggyback our contract they can. It is not a requirement.

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ATTACHMENT G – MID ATLANTIC PURCHASING TEAM RIDER CLAUSE form	
75. Requirement Checklist A1 directs towards Subcontractor List, and Acknowledgement of Receipt of Addenda but we are unable to find these two documents in the RFP. Can you please refer us to the exact location of these?	Both are to be submitted if you are proposing subcontractors you need to provide a list and acknowledgement of addenda if you receive the addenda.
76. How will be the task orders distributed among the vendors selected under each functional area?	Refer to section 3.6 (Staffing Request)
77. What are the positions that have been frequently requested or anticipated to request frequently under each functional area?	This information is not available at this time.
78. Is there a page limit on resumes?	No.
79. Do we have to submit the certificate of insurance with our response?	Certificate of insurance is due within seven (7) days of notice of award.
80. ATTACHMENT D – CONTRACTOR INFORMATION FORM>C.3 Price adjustment (is/is not ) necessary for other public agencies as listed. Could you please clarify this requirement?	If a Participating Agency (MAPT/COG) member wants to piggyback our contract is a price adjustment necessary or not.
81. Could you please confirm If there's a subcontracting requirement associated with this solicitation?	No.
82. Can Montgomery College please confirm this is a Staff Augmentation opportunity?	Yes, at this time.
83. Under section 2.3 it states "Proposers should have experience in placing professional contractors in the metropolitan DC area..." If we do not have this experience in this specific area, but we have vast experience with Universities, Colleges and Higher Education clients across the country, can we bid without being disqualified?	Yes.
84. Under section 2.3 it states "Proposers should have experience in placing professional contractors in the metropolitan DC area..." If we do not have this experience in this specific area, but we have vast experience with Universities, Colleges, and Higher Education clients across the country, Will that affect our evaluation?	No.
85. Does Montgomery College have a preferred font type and size for the response?	No.
86. Under section 1.10 Proposal Evaluation, point 1.10.1.2 Offeror is financially stable, how does Montgomery College want the vendor to address this point?	By submitting a proposal in response to this solicitation, bidding firm hereby attest to being financially stable.
87. In the RFP there are two separate proposal evaluations: 1) Under section 1 Proposal and Contract Information, sections 1.10 Proposal Evaluation and 2) 1.11 Proposal Rejection and under section 5.1.2 Evaluation Criteria. Could	See Section 5 of RFP, Evaluation and Award, 5.1.2.

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Montgomery please clarify which evaluation criteria vendors have to follow?	
88. 1. How much of the contract will be (IT) staff augmentation and how much will it be for project-based consulting services? 2. Do references have to be for (IT) staff augmentation or project-based consulting services, or can it be both?	Unknown, it depends on the needs of the College. 2. Both.
89. Under section 6.2.4 it states "Offeror's corporation/organization size, web presence, length of time the organization has been providing the required services listed herein, and key business relationships." Could the College please clarify what they mean by Key business relationships? if this refers to clients when vendors have placed candidates or partnerships that vendors have.	Experience providing services to clients as specified in the RFP.
90. Will the supplied resources/candidates work in a public setting/environment with minors?	No.
91. Would you be accepting references from public as well as commercial entities?	Yes.
92. Will Montgomery College agree to a change to the general conditions to add a limitation of liability that can be generally applied to the contract and/or adjusted on a case-by-case basis? For an example, see section 7 Limitation of Liability of the MD DoIT CATS+ master contract available at <a href="https://doit.maryland.gov/contracts/Documents/CATSPIus2016/060B2490023-2016AttachA-T.pdf">https://doit.maryland.gov/contracts/Documents/CATSPIus2016/060B2490023-2016AttachA-T.pdf</a> ?	No.

\*\*\*\*\* End of Questions & Answers \*\*\*\*\*

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**Incumbent Company List**

22nd Century Technologies  
ABIS Solutions, LLC  
Acro Service Corporation  
Alta IT Services, LLC  
(ARMA) Automated Resource Management Associates, Inc.  
Bullseye Computing  
C2S Technologies  
CAEI, Inc  
Cambridge Int'l Systems, Inc.  
CampusWorks, Inc.  
CompQSoft, Inc.  
Creative Information Technology  
Data Networks  
Delmock Technologies  
Devcare Solutions  
(DSI) Disys Solutions  
Elegant Enterprise  
E-Logic  
Fostersoft  
iCube Systems, Inc.  
Infojini, Inc.  
(ITTSSI) Integrated Technology Solutions and Services Inc.  
Intelligenesis, LLC  
Lancesoft  
Nam Technologies  
Navigator Management Partners  
Neumeric Technology Corp  
(NYGCI) New York Global Consultants, Inc.  
Runemaster, LLC  
Serigor, Inc.  
Tandem Conglomerate  
TEKsystems  
The Midtown Group  
United Solutions  
US IT Recruitment  
US IT Solutions  
UVS Infotech  
Vector Talent Resources  
Vtech Solutions

MONTGOMERY COLLEGE • OFFICE OF BUSINESS SERVICES  
REQUEST FOR PROPOSAL TITLE: INFORMATION TECHNOLOGY STAFFING AND CONSULTING SERVICES  
RFP NUMBER: E523-011  
RFP CLOSING DATE AND TIME: APRIL 19, 2023 @ 3:00 PM

**SAMPLE NONDISCLOSURE AGREEMENT**

This agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between \_\_\_\_\_ (hereinafter "Recipient"), with offices at \_\_\_\_\_, and \_\_\_\_\_, with offices at \_\_\_\_\_ (hereinafter "Discloser").

WHEREAS Discloser possesses certain ideas and information relating to \_\_\_\_\_ that is confidential and proprietary to the Discloser (hereinafter "Confidential Information"); and WHEREAS the Recipient is willing to receive disclosure of the Confidential Information pursuant to the terms of this agreement for the purpose of \_\_\_\_\_; NOW THEREFORE, in consideration for the mutual undertakings of the Discloser and the Recipient under this agreement, the parties agree to the below terms as follows:

1. Disclosure. The Discloser agrees to disclose, and the Receiver agrees to receive the Confidential Information.
2. Confidentiality.
  - 2.1 *No Use*. The Recipient agrees not to use the Confidential Information in any way or manufacture or test any product embodying Confidential Information, except for the purpose authorized by the Discloser.
  - 2.2 *No Disclosure*. The Recipient agrees to use its best efforts to prevent and protect the Confidential Information, or any part thereof, from disclosure to any person other than the Recipient's employees that have a need for disclosure in connection with the Recipient's authorized use of the Confidential Information.
  - 2.3 *Protection of Secrecy*. The Recipient agrees to take all steps reasonably necessary to protect the secrecy of the Confidential Information and to prevent the Confidential Information from falling into the public domain or into the possession of unauthorized persons.
3. Limits on Confidential Information. Confidential Information shall not be deemed proprietary, and the Recipient shall have no obligation with respect to such information where the information:
  - (a) Was known to the Recipient prior to receiving any of the Confidential Information from the Discloser;
  - (b) Has become publicly known through no wrongful act of the Recipient;
  - (c) Was received by the Recipient without breach of this agreement from a third party without restriction as to the use and disclosure of the information;
  - (d) Was independently developed by the Recipient without use of the Confidential Information; or

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(e) Was ordered to be publicly released by the requirement of a government agency.

4. Ownership of Confidential Information. The Recipient agrees that all Confidential Information shall remain the property of Discloser and that the Discloser may use such Confidential Information for any purpose without obligation to Recipient. Nothing contained herein shall be construed as granting or implying to the Recipient any transfer of rights, any patents, or any other intellectual property pertaining to the Confidential Information.
5. Term and Termination. The obligations of this agreement shall be continuing until the Confidential Information disclosed to the Recipient is no longer confidential.
6. Survival of Rights and Obligations. This agreement shall be binding upon, inure to the benefit of, and be enforceable by (a) the Discloser, its successors and assignees; and (b) the Recipient, its successors and assignees.

IN WITNESS WHEREOF, the parties have executed this agreement effective as of the date first written above.

**Discloser (Name of the Discloser)**

**Recipient (Name of the Recipient)**

Signed \_\_\_\_\_

Signed \_\_\_\_\_

Print Name \_\_\_\_\_

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

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**MONTGOMERY COLLEGE**

Office of Information Technology

Receipt of Mobile Computing Device

I acknowledge that I have received a Montgomery College owned mobile computing device (iPhone, laptop, tablet, etc.), MC# \_\_\_\_\_ Device Type: \_\_\_\_\_

I understand that:

- This mobile device will be tracked under my name in the Office of Information Technology inventory.
- I am responsible for the safekeeping, care, and custody of the assigned device.
- I agree to abide by the College's Acceptable Use Policy for technology resources.
- In the event of a lost or stolen mobile device, it is incumbent on me to report this immediately the IT Service Desk at 240-567-7222 (extension 7-7222) or via e-mail at [itservicedesk@montgomerycollege.edu](mailto:itservicedesk@montgomerycollege.edu).
- If I am reassigned to a different position at the College, I must notify the IT Service Desk immediately.
- College phone numbers remain with the College.

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Campus

\_\_\_\_\_  
Office Location

\_\_\_\_\_  
Phone Extension

Office of Information Technology Asset  
Management  
2014