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ADDENDA 5

To: All Interested Vendors
From: Araceli Hernandez, Formal Bid/Buyer
Date: February 19, 2021
Subject: RFP 21-010, Alcohol Monitoring Services for the County of El Paso

This addendum has been issued to notify vendors of the following:

MODIFICATION

- **EVALUATION CRITERIA:**

**PROPOSER'S QUALIFICATIONS, EXPERIENCE WITH OPTION REQUIREMENTS,
AND AVAILABLE STAFFING FOR THE PROPOSED OPTION: 25%**

Must have representative available **within 1 hour** to testify in open court at any time on any and all violations, as well as be able to verify any and all violations to the Supervision Officer and Court.

QUESTION AND ANSWER

1. May we please have a listing of the company names who have submitted questions included with the answers to questions?

Response:

No. Questions submitted are not tied to the companies that ask them.

2. RFP page 34, **General Provisions County of El Paso, Texas** calls out "**26. INDEMNIFICATION...B.** Pursuant to Texas Local Government Code Section 262.032(b),

any successful bidder who is awarded any contract in excess of \$50,000 may be required to execute a performance bond to the County. Said bond shall be in the full amount of the contract and must be furnished within 30 days after the date a purchase order is issued or the contract is signed and prior to commencement of the actual work. A performance bond required pursuant to this section shall be noted in the attached detailed bid specifications or scope of work. This section does not apply to a performance bond required by Chapter 2253, Texas Government Code.” Additionally, RFP page 20, **ALLOCATION OF COST**, calls out “This program will be a self-paid program by the client and the County is not responsible for any financial payments whatsoever.”

The requirement for a Performance Bond may directly determine whether or not certain leading providers will participate/respond to this RFP. Furthermore, the dollar value/percentage of the contract value of any Performance Bond directly impacts Costs to all Proposers, thus directly impacting proposal Pricing. As such, COEP’s advance answers to these questions are both critical and time sensitive – Please answer these first and as soon as possible:

- a. Does the COEP incumbent contract for Option 1 Mobile Alcohol Monitoring Devices include a Performance Bond and, if so, what dollar value/percentage of contract value?

Response:
There is NOT an-incumbent contract.

3. Upon the basis that “This program will be a self-paid program by the client and the County is not responsible for any financial payments whatsoever” thus, the County’s value of this contract is \$0.00, is it correct that a performance bond will NOT be required by this contract(s) resulting from this RFP?

Response:
A Performance Bond is NOT required.

4. Will a Performance Bond be required for the contract(s) resulting from this RFP for Option 1 Mobile Alcohol Monitoring Devices and, if so, what dollar value/percentage of contract value?

Response:
A Performance Bond is NOT required.

5. We have several questions regarding the COEP incumbent contract/program for RFP Option 1 Mobile Alcohol Monitoring Devices:

- a. Specifically, how many offenders/defendants (as an average daily population) are currently in-use on each technology type specified by RFP Option 1 Mobile Alcohol Monitoring Devices?
 - i. Mobile alcohol devices... built-in breathalyzer and picture or video confirmation for identity detection = _____ offenders/defendants (average daily population)
 - ii. Transdermal alcohol detection devices via Landline = _____ offenders/defendants (average daily population)

- iii. Transdermal alcohol detection devices via Cellular = _____ offenders/defendants (average daily population)
- iv. Transdermal alcohol detection devices via Ethernet = _____ offenders/defendants (average daily population)
- b. What is/are the company name(s) of the incumbent Contractor(s) for each technology type specified by RFP Option 1 Mobile Alcohol Monitoring Devices?:
 - i. Incumbent Contractor(s) for mobile alcohol devices...built-in breathalyzer and picture or video confirmation for identity detection?
 - ii. Incumbent Contractor(s) for transdermal alcohol detection devices?

Response:

The County does not have an exact number of units being used at this moment. CJC is currently working with SmartStart, 1st Interlock, Scram/ Recovery, Intoxalock, and Lifesafer.

- 6. What manufacturer(s)/brand(s) and model number(s) of equipment are presently in use for each technology type specified by RFP Option 1 Mobile Alcohol Monitoring Devices (Example: SCRAM Systems, SCRAM CAM)?
 - i. Mobile alcohol devices...built-in breathalyzer and picture or video confirmation for identity detection incumbent Brand/Manufacturer=_____ Model=_____
 - ii. Transdermal alcohol detection devices incumbent Brand/ Manufacturer =_____ Model=_____

Response:

COEP does NOT have that information, each provider uses different models and devices.

- 7. What monthly rate to client price(s) does the incumbent Contractor charge offenders/defendants for each technology type specified by RFP Option 1 Mobile Alcohol Monitoring Devices?
 - i. Incumbent contract prices for mobile alcohol devices...built-in breathalyzer and picture or video confirmation for identity detection fees based on client annual income =
 - 1. Less than \$12,490 to \$0: \$_____ monthly rate to client
 - 2. \$12,491 to \$25,330: \$_____ monthly rate to client
 - 3. \$25,331 to \$30,170: \$_____ monthly rate to client
 - 4. \$30,171 and above: \$_____ monthly rate to client
 - ii. Incumbent contract prices for transdermal alcohol detection devices fees via Landline based on client annual income =
 - 1. Less than \$12,490 to \$0: \$_____ monthly rate to client
 - 2. \$12,491 to \$25,330: \$_____ monthly rate to client
 - 3. \$25,331 to \$30,170: \$_____ monthly rate to client

4. \$30,171 and above: \$_____ monthly rate to client
- iii. Incumbent contract prices for transdermal alcohol detection devices via Cellular based on client annual income =
 1. Less than \$12,490 to \$0: \$_____ monthly rate to client
 2. \$12,491 to \$25,330: \$_____ monthly rate to client
 3. \$25,331 to \$30,170: \$_____ monthly rate to client
 4. \$30,171 and above: \$_____ monthly rate to client
- iv. Incumbent contract prices for transdermal alcohol detection devices via Ethernet fees based on client annual income =
 1. Less than \$12,490 to \$0: \$_____ monthly rate to client
 2. \$12,491 to \$25,330: \$_____ monthly rate to client
 3. \$25,331 to \$30,170: \$_____ monthly rate to client
 4. \$30,171 and above: \$_____ monthly rate to client

Response:

The County does not have a contract in place, therefore, there is no-monthly charge in place.

8. RFP page 1 calls out "Sealed Request for Proposals (RFP) will be received at the County Purchasing Department, 800 E. Overland, RM 300, El Paso, Texas 79901 before Thursday, January 7, 2021...Any questions or additional information required by interested vendors must be e-mailed to: bidquestions@epcounty.com before Thursday, December 10, 2020, at 12:00 p.m." Additionally, RFP page 16 EVALUATION CRITERIA calls out "Selected offeror(s) may be required to make on-site oral and visual presentations or demonstrations at the request of the County. The County will schedule the time and location for any presentations." We have questions regarding the RFP scheduling of events:
 - a) What method will COEP use to distribute answers to questions?
 - b) When will COEP distribute answers to questions?
 - c) Please consider:
 - In order to mitigate the potential of a delay or conflict in delivery, all leading proposers ship proposals two (2) business days early to ensure delivery/acceptance the business day before they are actually due (Example: For a Thursday, January 7th proposal due date, proposers will ship proposals on Tuesday, January 5th to confirm delivery/receipt on Wednesday, January 6th).
 - COEP's answers to questions can have substantial impact on proposal content and direction, including but not limited to potentially determining which model of technology is actually proposed, thus the COEP's answers could warrant potential re-write of entire proposal responses to the RFP Specifications.

These points made, will COEP please extend the proposal due date to allow a minimum of two (2) complete weeks from the posting/distribution of final addenda/answers to questions until the proposal due date?

Response:

Items a-c: All questions submitted by the deadline are addressed in a resulting addendum as soon as the County can find or verify the information. Proposers are required to incorporate all addenda into their final responses. Vendors must use their own judgement and resources to ensure that their responses are on site and logged in by the due date and time. The County is not responsible for delayed or non-delivered proposals.

9. Is the COEP RFP proposal opening public? Are the names of all Proposers read aloud? In lieu of attending the proposal opening in person, are the names of Proposers accessible after opening via COEP web site (such as a bid tabulation) or via phone or in response to an email request?

Response:

Yes, names will be read out loud, see page 1 of the RFP packet. Tabulation will be posted on the County website, www.epcounty.com.

10. When do technical proposals become public record? When do price proposals become public record? What is COEP's preferred method for interested parties to request access to such public records and who is the contact person/contact details to whom such requests should be submitted?

Response:

Documents become public record after the signing of the contract. These documents may be requested following the Texas PIA process by emailing the Purchasing Agent, Debra Carrejo-Trull at dcarrejo@epcounty.com .

11. RFP page 16 EVALUATION CRITERIA calls out "demonstrations":

- i. Will COEP conduct "demonstrations" as part of this RFP evaluation for Option 1 Mobile Alcohol Monitoring Devices?
- ii. If so, will "demonstrations" for Option 1 Mobile Alcohol Monitoring Devices occur with: All proposers? A group of proposer finalists? Only with the proposed awardee?
- iii. Approximately what date(s) are "demonstrations" for Option 1 Mobile Alcohol Monitoring Devices anticipated to occur?
- iv. When will COEP notify Proposers they have been selected for "demonstrations" for Option 1 Mobile Alcohol Monitoring Devices? - To allow proper time for preparation/travel arrangements and shipping of necessary equipment, will COEP please provide at least two (2) weeks advance written notice of the need for "demonstrations"?
- v. Will actual offenders/defendants or only COEP officers/staff/users participate in "demonstrations" for Option 1 Mobile Alcohol Monitoring Devices?
- vi. How much time in duration will be allotted for each "demonstration" session for Option 1 Mobile Alcohol Monitoring Devices?

RFP page 16 EVALUATION CRITERIA calls out "on-site oral and visual presentations":

- i. Will COEP conduct "on-site oral and visual presentations" as part of this RFP evaluation for Option 1 Mobile Alcohol Monitoring Devices?

- ii. If so, approximately how many "Selected offeror(s)" will be provided the opportunity to provide "on-site oral and visual presentations" for Option 1 Mobile Alcohol Monitoring Devices?
- iii. Approximately what date(s) are "on-site oral and visual presentations" anticipated to occur for Option 1 Mobile Alcohol Monitoring Devices?
- iv. Will a projector or display be available in the meeting room for "Selected offeror(s)" to plug laptop computers into to project their "on-site oral and visual presentations" for Option 1 Mobile Alcohol Monitoring Devices?

Response:

Refer to RFP packet. The use of on-site presentations is not required or guaranteed and is only used upon determination by the County that any such demonstrations benefit the evaluation process. Should it be deemed of value. The County will work with vendors to schedule reasonable presentation times and allow the vendor to make reasonable travel and preparation arrangements. The County is under no obligation to any proposer for any costs associated with response or presentations. A proposing vendor bears all costs. The County reserves the right to begin negotiations with the highest-scoring firm, or multiple firms, with or without product demonstrations.

12. RFP page 33 calls out "**19. BEST AND FINAL OFFERS**":
- a. Are "**BEST AND FINAL OFFERS**" anticipated to occur as part of this RFP for Option 1 Mobile Alcohol Monitoring Devices?
 - b. If so, will "**BEST AND FINAL OFFERS**" occur with: All Proposers? A group of proposer finalists? Only with the proposed awardee?
 - c. Approximately what date(s) are "**BEST AND FINAL OFFERS**" anticipated to occur for Option 1 Mobile Alcohol Monitoring Devices?
 - d. Based on plural use of the word "proposers", will COEP engage in "**BEST AND FINAL OFFERS**" with multiple Proposers at the same time for Option 1 Mobile Alcohol Monitoring Devices?

Response:

Item I: Refer to RFP packet. The use of a BAFO process is not required or guaranteed and is only used upon determination by the County that any process benefits the evaluation process. The County reserves the right to begin negotiations with the highest-scoring firm, or multiple firms, with or without a BAFO process.

13. Are the technical proposal elements and COST/FEE STRUCTURE evaluated by the same or different evaluation committee members for Option 1 Mobile Alcohol Monitoring Devices?
- Are evaluation committee members who score technical proposal elements apprised of pricing in advance of scoring technical proposal elements?
 - Approximately what date are PRICE SHEET "COST/FEE STRUCTURE" evaluations to occur for Option 1 Mobile Alcohol Monitoring Devices?
 - Approximately what date is the notice of award/award anticipated to occur for Option 1 Mobile Alcohol Monitoring Devices?
 - Will COEP notify all Proposers of an intent to award/award and, if so, what method will COEP use to notify proposers (Email? Fax? Website?)

Response:

The evaluation team will evaluate all aspects of all proposals. The County reserves the right to request assistance from County experts not on the evaluation team, if needed for clarification or expertise.

The questions related to exact dates of evaluation cannot be answered, as the evaluations are conducted at the County's timeline and as part of one evaluation process.

Once the evaluation process is completed and has completed legal review and scheduled for intended Court award, all participating vendors are notified via email of the intended presentation date and provided a link to the Court meeting and instructions on how to call in and address the court.

14. What is the end date of the incumbent COEP contract for Option 1 Mobile Alcohol Monitoring Devices?

Response:

As of right now, COEP does not have contracts with a provider for Option 1.

15. What is COEP's target start date to commence contract services/enrollment of program offenders/defendants for the new contract for Option 1 Mobile Alcohol Monitoring Devices?

Response:

As soon as Commissioners Court approves the award of RFP 21-10.

16. RFP page 7 **PURPOSE** A. calls out "1. It is the expressed intent of The County of El Paso (hereby referred to as The County) to award a contract for each of the options listed to a Provider that best meets the evaluation factors and section requirements as listed in this document. Providers may choose to submit a proposal for the options listed in this document; or Provider may choose to submit a proposal related only to the option in which they wish to be considered." Additionally RFP page 18, **OPTION 1: MOBILE ALCOHOL MONITORING DEVICES** calls out "**PURPOSE:** The County of El Paso County justice system seeking mobile alcohol devices such as breathalyzers and transdermal devices that defendants can take with them to regularly confirm sobriety. These devices must have a built-in breathalyzer and picture or video confirmation for identity detection. The purpose will be primarily for monitoring bond conditions or imposed sentencing conditions."

Will COEP accept/evaluate proposals from Proposers who offer only Mobile alcohol devices...built-in breathalyzer and picture or video confirmation for identity detection but, do NOT offer transdermal alcohol detection devices?

Response:

Yes, the COEP will evaluate any units being offered by the provider.

17. Once the programs are fully deployed, approximately how many offenders/defendants as an average daily population are anticipated to be in-use on Mobile alcohol devices, built-in breathalyzer and picture or video confirmation for identity detection? = _____
defendants/participants (average daily population)
- Once the programs are fully deployed, approximately how many offenders/defendants as an average daily population are anticipated to be in-use on transdermal alcohol detection devices via Landline? = _____
defendants/participants (average daily population)
 - Once the programs are fully deployed, approximately how many offenders/defendants as an average daily population are anticipated to be in-use on transdermal alcohol detection devices via Cellular? = _____
defendants/participants (average daily population)
 - Once the programs are fully deployed, approximately how many offenders/defendants as an average daily population are anticipated to be in-use on transdermal alcohol detection devices via Ethernet? = _____
defendants/participants (average daily population)

Response:

The County does not have an exact number of units being used at this moment.

18. Specifically what determines whether a defendant/participant is placed on a mobile alcohol device...built-in breathalyzer and picture or video confirmation for identity detection versus a transdermal alcohol detection device?

Response:

The presiding Judge will determine the type of unit.

19. RFP page 7, **STANDARDS FOR SERVICE** calls out "

"A. PROVIDER ACCESSIBILITY

1. The Provider must provide a single point of contact for the services identified in this RFP. The County reserves the right to speak with other individuals associated with the Provider including, but not limited to contracted staff.

2. The Provider must have a Client Service Office located within the County and be available to immediately respond to any County Supervision offices, if necessary, during normal business hours to serve The County Clients.

a. The Client Service Office must be within a one (1) hour drive of The County Central office located at 500 E. San Antonio Street, downtown El Paso.

b. The Client Services Office, as part of this RFP, is only to be used for services associated with this RFP between the hours of 7:30 a.m. and 5:00 p.m., Monday through Friday, and 10:00 a.m. to 2:00 p.m. on Saturdays

1. The Provider must clearly indicate in its responses to this RFP:

- a) Full physical address and telephone number of the service center, if Provider does not currently have a service center within one (1) hour drive of the El Paso County Central Office, Provider must acknowledge requirements to have service center in place by June 1, 2020.
- b) If Provider has service center, the number of miles the service center is from the El Paso County Central office location.
- c) The Provider must have adequately trained staff at the service center seven-days-per-week, twenty-four hours per day (7x24) toll free telephone number for customer service access. A voicemail service is insufficient. Any subcontractor being used as part of this RFP must also establish and maintain a seven-day-per week, twenty-four hours per day (7x24) toll free number for customer service access beginning June 1, 2020."

Will COEP accept/evaluate proposals from Proposers who do not currently "have a service center within one (1) hour drive of the El Paso County Central Office" however, "acknowledge requirements to have service center in place by June 1, 2020?"

Response:

Responses will be evaluated and scored based on the evaluation criteria.

- 20. May we please have a listing of all complete addresses of "County of El Paso Supervision offices" to where Contractor(s) are required "to immediately respond" for RFP Option 1 Mobile Alcohol Monitoring Devices?

Response:

**800 E. Overland Suite 122, El Paso, Tx 79901
9521 Socorro Rd B1, El Paso, Tx 79927
500 San Antonio, El Paso, Tx 79901**

- 21. What specific events warrant that Contractor(s) are required "to immediately respond" to "County of El Paso Supervision offices" for RFP Option 1 Mobile Alcohol Monitoring Devices?

Response:

The provider must be available to testify when there is a skipped/positive BAC tests, and/or if an attorney is contesting the results of the BAC tests, inconclusive BAC results, any malfunctioning units or units with any errors, and any units with signs of tampering.

- 22. Will you please describe in detail what COEP defines as "normal business hours"?

Response:

Monday through Friday from 8 a.m. to 5 p.m. (MST).

- 23. RFP page 8, **STANDARDS FOR SERVICE** calls out "B. PROVISION OF EQUIPMENT AND SERVICES... 1. All equipment proposed for use for Electronic Monitoring Services must be provided (including shipping, storage, and installation), serviced, and maintained by the Vendor for the term of the contract." We have several questions regarding "installation, serviced, and maintained" for Option 1 Mobile Alcohol Monitoring Devices:

How will the Contractor(s) for Option 1 Mobile Alcohol Monitoring Devices be provided with the referral/request for installation for COEP offenders/defendants (Web-based enrolment? E-mail? Other?)

Response:

A referral form will be given to the client to take to the provider. Process can be adjusted to fit both provider and County.

24. During what days of the week and what hours of those days are installations of Option 1 Mobile Alcohol Monitoring Devices to be conducted for COEP (Example: Monday – Friday 8AM-5PM EST)?

Response:

Monday through Saturday from 8a.m. to 5 p.m. (MST).

25. Are installations ever required at COEP offices for Option 1 Mobile Alcohol Monitoring Devices and, if so, may we please have a complete list of all such COEP office addresses?

Response:

No, installations must be done at the provider's location.

26. Are in-home installations ever required for Option 1 Mobile Alcohol Monitoring Devices and, if so, what circumstances warrant in-home installation?

Response:

Yes, at the discretion of the presiding Judge.

27. If Contractor is required to perform installations at the defendant's/participant's home for Option 1 Mobile Alcohol Monitoring Devices, what programmatic circumstances does the offender/defendant face that will ensure that the defendant/participant stays home until the installer arrives?

Response:

All home installations will be done by the client. Provider may propose an option.

28. What advance steps does COEP take to confirm the defendant/participant is at the residence before sending the Contractor for Option 1 Mobile Alcohol Monitoring Devices?

Response:

There are no advanced steps in place by the COEP to ensure the participant/defendant is at their residence. All installations must be done at the provider location. No residential installations are permitted.

29. What days of the week/hours of the days is the Contractor required to make maintenance/service calls?

Response:

Monday through Saturday 8 a.m. to 5 p.m. (MST).

30. What Option 1 Mobile Alcohol Monitoring Devices events warrant Contractor involvement at the offender's/defendant's home and does the officer accompany the installer for each?

Response:

There are no options.

31. What is the average length of term per offender/defendant on electronic monitoring for Option 1 Mobile Alcohol Monitoring Devices (Example: 60 to 90 days on EM)?

Response:

On an average it is 1 year, however, the length of time that a client is using the unit will be determined on a case-by-case basis.

32. How many total new COEP installations are anticipated each month for Option 1 Mobile Alcohol Monitoring Devices?

Response:

The County does not have an anticipated number of units.

33. For Option 1 Mobile Alcohol Monitoring Devices, is COEP open to requiring defendants/participants to return the monitoring equipment to the applicable COEP office or Contractor office upon successful release from the monitoring program whereby a Contractor installer can make regular trips to offices to retrieve equipment?

Response:

All clients are responsible for returning the device(s) to the providers location.

34. For Option 1 Mobile Alcohol Monitoring Devices, with regard to equipment retrievals, is COEP open to revisiting the program guidelines governing a defendant's/participant's compliant termination until the equipment is returned (either at the defendant's/participant's home or at the Contractor(s) office or at a COEP office?)

Response:

No, the participants must return the devices to the provider's location.

35. For Option 1 Mobile Alcohol Monitoring Devices, what percentage of Contractor equipment retrievals occur for each scenario:

- Defendant/participant equipment return to COEP offices? = ___%
- Defendant/participant equipment return to Contractor(s) offices? = ___%
- Contractor pick-up at defendant/participant homes? = ___%

Response:

The County does not have an exact number, however, the equipment is not returned to COEP offices. Most devices are returned by the participants to the contractor's office. No at home pick-ups should occur.

36. For Option 1 Mobile Alcohol Monitoring Devices, who is responsible for investigating equipment tamperers (COEP officer? Contractor?) If the Contractor, will you please define the specific steps COEP requires to be taken?

Response:

It is the Provider's responsibility to investigate if the equipment is being tampered with.

37. RFP page 8, **STANDARDS FOR SERVICE** calls out "B. PROVISION OF EQUIPMENT AND SERVICES... 5. The Provider shall repair and/or replace defective or malfunctioning parts and/or equipment within one (1) hour and a half after the notice or knowledge of a malfunction or failure." This seems needlessly restrictive by industry standards and may prove cost prohibitive. Will COEP please amend this as follows, as is commensurate with industry standards? "B. PROVISION OF EQUIPMENT AND SERVICES... vi. The Vendor shall repair and/or replace defective or malfunctioning parts and/or equipment within ~~one (1) hour and a half~~ twenty-four (24) hours after the notice or knowledge of a malfunction or failure."

Response:

Yes, it should be commensurate with industry standards.

38. RFP page 8, **STANDARDS FOR SERVICE** calls out "B. PROVISION OF EQUIPMENT AND SERVICES... 5... The County must not be responsible for the maintenance and/or replacement of damaged or lost unit(s) caused by malfunction, negligence and/or intentional damage. **The Provider must not charge the County for any units.**"

a) Commercial insurance is not available to electronic monitoring Contractors for equipment provided to defendants/participants. As such, all electronic monitoring Contractors must incorporate the cost of anticipated lost/damaged/stolen equipment into their proposal prices. To enable all proposers to properly budget and project these losses, will COEP please confirm the historical average for annual lost, stolen, and/or damaged equipment for each specified equipment component type for Option 1 Mobile Alcohol Monitoring Devices and include this with the answers to vendor questions? (**NOTE: If COEP does NOT know, then your incumbent Contractor does and, is required under contract to advise COEP if asked. The absence of answers to these questions provides an unfair advantage to the incumbent Contractor who has this information, thereby inhibiting competition.**)

Annual Lost, Damaged, Stolen (LDS) Equipment:

- i. Mobile alcohol devices...built-in breathalyzer and picture or video confirmation for identity detection = _____/LDS/units per year
- ii. Transdermal alcohol detection device Bracelets = _____/LDS/units per year
- iii. Transdermal alcohol detection device Landline/Ethernet Home Unit = _____/LDS/units per year
- iv. Transdermal alcohol detection device Cellular Home Unit = _____/LDS/units per year

Response:

The County does not currently have a contract in place, therefore there is not a calculation to respond to 8(a) i-iv.

39. Will COEP post additional criminal charges against offenders/defendants for lost/damaged/stolen equipment for Option 1 Mobile Alcohol Monitoring Devices?

Response:

It is at the provider's discretion to file charges.

40. Does COEP anticipate any changes to offender/defendant selection criteria that are anticipated to increase lost/damaged/stolen equipment for Option 1 Mobile Alcohol Monitoring Devices? If so, will you please define in detail?

Response:

No, the COEP does NOT anticipate any increase in lost/damage/stolen equipment.

41. For Option 1 Mobile Alcohol Monitoring Devices, are defendants/participants violated from the program for lost/damage/stolen equipment (more specifically, will defendants/participants who lose/damage/steal equipment lose their eligibility and be permanently removed to avoid multiple losses of equipment by the same participant)?

Response:

It will be at the discretion of the provider to have the client replace any lost/damage equipment. If a provider permanently removes client to avoid loss or damaged equipment an explanation will be necessary to the Judge(s) as to why that decision was made.

42. Will the COEP impose a requirement whereby defendants/participants who fail to surrender and/or return equipment to the Contractor (or a COEP office) a condition of the participant's compliant completion of the program?

Response:

No, if the unit is lost or stolen the County cannot stop the completion of the program.

43. May vendors charge defendants/participants for the cost to replace lost, damaged and stolen equipment for Option 1 Mobile Alcohol Monitoring Devices?

Response:

It will be at the discretion of the provider.

44. RFP page 18, **OPTION 1: MOBILE ALCOHOL MONITORING DEVICES** calls out **"PURPOSE:** The County of El Paso County justice system seeking mobile alcohol devices

such as breathalyzers and transdermal devices that defendants can take with them to regularly confirm sobriety.”

Transdermal devices are commonly available in two separate models; one model that reports information using either the offender’s/defendant’s home landline telephone line or ethernet connection or a second model that reports information using a modular cellular communication unit (for offenders/defendants who do not have a home landline phone line or ethernet connection). These two models of Transdermal alcohol detection devices are commonly priced differently from one another and also priced differently than Mobile alcohol devices...breathalyzer and picture or video confirmation for identity detection, thus proposers responding to Option 1 Mobile Alcohol Monitoring Devices require the ability to quote up to three (3) separate sets of prices however, RFP page 26 PRICE SHEET only calls out one set of price lines for Option 1 and also calls out “**Note:** Any firm that does not submit pricing in a price sheet provided **will not** be considered for award. Proposers are required to use one PRICING SHEET for each proposed Option.” Will you please either; (a) amend the PRICE SHEET to include three (3) sets of Option 1 price lines (Mobile Breathalyzer, Transdermal Landline/Ethernet and Transdermal Cellular) or confirm in response to this question that Proposers can provide a separate PRICE SHEET for each Option 1 model proposed, labelling each accordingly (Mobile Breathalyzer, Transdermal Landline/Ethernet and Transdermal Cellular)?

Response: Attachment 1 is the amended Price Sheet for Option 1.

45. RFP page 20, **OPTION 1: MOBILE ALCOHOL MONITORING DEVICES** calls out “**ALLOCATION OF COST:** This program will be a self-paid program by the client and the County is not responsible for any financial payments whatsoever. The clients referred to the service provider assume full responsibility for all fees and costs associated with IID equipment, installation, calibration, monitoring, and data analysis and reporting. These fees shall remain transparent and should be disclosed in the RFP. The Service Provider will comply with the following fee scale:

The service provider may charge the following fees based on client annual income:
Provider will propose a sliding scale for fees.

EXAMPLE:

\$12,491 to \$0: _____
\$12,491 to \$25,330: _____
\$25,331 to \$30,170: _____
\$30,171 and above: _____
(or another form of sliding scale)

To qualify for discounts defendants will provide proof of income to their supervision officers and to the provider. It is expected that the provider communicate with The County of El Paso before discontinuing service or locking-out a defendant for failure to pay fees. The County of El Paso requires at least a one-week notice before a defendant is locked-out for failure to pay fees. The County of El Paso is not responsible for the collection of funds owed by the participants. Responsibility for collection of funds owed by those participants is the responsibility of the Vendor.

The provider must comply with the fee schedule listed in this agreement. Modifications to pricing are prohibited without a formal written agreement from the County of El Paso.”

- a. What percentage of the overall participant population is made up by each level of the fee scale?
 - i. \$12,491 to \$0: annual income = __% of the overall participants
 - ii. \$12,491 to \$25,330: = __% of the overall participants
 - iii. \$25,331 to \$30,170: = __% of the overall participants
 - iv. \$30,171 and above: = __% of the overall participants

Response:

The COEP does not have the number/percentage of overall participants in each level of the fee scale.

46. Who is responsible for financial assessment of offenders/defendants (county staff/“supervision officers” or Contractor/“provider” staff)?

Response:

The provider is responsible for the financial assessment.

47. Will you please describe in detail COEP’s mechanism for enforcing limits on the number of offenders/defendants?

Response: The COEP has no limit to the number of clients using units.

48. What is the expectation of COEP regarding installing offenders/defendants who have past due accounts with the Contractor(s)? Will COEP provide incentives for offenders/defendants to act in accordance with fee agreements?

Response:

The COEP does not have expectations when offender/defendants have past due accounts with the contractor. The COEP does not offer incentives for offenders/defendants to act in accordance with fee agreements.

49. RFP page 11 **NON-PAYMENT TERMINATION NOTICE** (Applies to All Options) calls out?

Response:

Provider must make COEP aware of such notice before terminating service for non-payment.

50. “C. Non-Payment - Deactivation Notice, the provider will notify the County of the request for deactivation within one (1) business day. The County will determine if deactivation is justified and advise the Provider in writing on how to proceed. The provider must not deactivate a client for at least five (5) business days after reporting it to the County.” Upon notification regarding offenders/defendants assessed with the ability to pay who refuse to or become delinquent, is COEP committed to promptly authorize removal of the device?

Response:

Yes, COEP authorizes the removal of the device.

51. What is the anticipated response time from the time of notification regarding participants assessed with the ability to pay who refuse to or become delinquent, until the time COEP will authorize removal of the device?

Response:

Within 5 business days of notification.

52. "The provider must not deactivate a client for at least five (5) business days after reporting it to the County" indicative that in the absence of a COEP timely response, on the sixth (6th) day Contractor(s) may remove the device from offender/defendant due to non-payment?

Response:

Yes, the contractor may end the services on the 6th day of non-payment.

53. What is the annual percentage of uncollected/bad debt for all incumbent Option 1 Option 1 Mobile Alcohol Monitoring Devices Contractors? (Emphasis: If COEP does NOT have this information, your incumbent Contractor(s) do and they are obligated to report this to COEP upon request. Moreover, having this data provides incumbent Contractor(s) with a preference of visibility of these factors unless COEP responds to this request providing this data for visibility by all prospective Proposers).

Response:

COEP does not have a number/percentage of uncollected/bad debt for Option 1.

54. For defendants/participants who have been assessed with the ability to pay, may Contractor(s) require defendants/participants to pay a deposit at their inception into the program and continue to pay fees in advance on a forward basis so as to ensure against bad debt as a result of intentional/wilful non-payment?

Response:

No, providers may NOT charge a deposit fee. Simply because the clients will still have to pay installation fees, plus the monthly amount.

55. What programmatic/policy mechanisms are in place to ensure against Contractor bad debt as a result of offender/defendant intentional/wilful non-payment?

Response:

There are no programmatic/policy to ensure bad debt of non-payment.

56. What programmatic/policy mechanisms are in place to ensure against judges/administrators perpetual re-referral/re-enrollment of offenders/defendants who have demonstrated intentional/wilful non-payment to the Contractor(s)?

Response:

There are no programmatic/policy to ensure Judges/Administrators perpetual re-referral of clients with history of non-payment.

57. RFP page 30, **General Provisions County of El Paso, Texas** calls out "**8. PRICING** Bid/Proposals for equipment shall offer new (unused) equipment or merchandise unless otherwise specified."

As presently worded, use of the words "new (unused)" implies newly manufactured equipment that will needlessly and significantly increase the prices from all Proposers to COEP. Upon the basis of the use of the words "unless otherwise specified" in this requirement, will you please confirm via answer to this question - Will COEP accept/evaluate proposals for Option 1 Mobile Alcohol Monitoring Devices from Proposers who propose new or like new equipment with no blemishes or defects of the latest generation technology as is commensurate throughout the electronic monitoring industry?

Response:

Yes, COEP may accept/evaluate proposals for Option 1 Mobile Alcohol Monitoring Devices from Proposers who propose new or like new equipment with no blemishes or defects of the latest generation technology as is commensurate throughout the electronic monitoring industry.