

State of Idaho Division of Purchasing
Cloud-Based Public Records Solution

Issued May 14, 2021

(The previous mini bid for a cloud-based public records solution has been cancelled.)

Purpose: The state of Idaho, through the Idaho Division of Purchasing (“the State”) is seeking to enter into a Participating Addendum (PA) with a vendor who has been awarded a master agreement under the NASPO ValuePoint portfolio for cloud services, led by the state of Utah. The State is specifically seeking to establish one statewide contract for the cloud-based public records solution as detailed below. The purpose of this “mini bid” is to determine: 1) which vendors that have been awarded master agreements under the NASPO ValuePoint portfolio for cloud services, led by the state of Utah, can offer the required cloud-based public records solution; and 2) of those vendors, which can offer the State the best overall value.

Specifications: See the document with the heading “Key Requirements for Cloud-Based Public Records Solution”. The full suite of GovQA’s public records products must be made available under any Participating Addendum awarded from this mini bid. Provide your full price list including discounts under the Master Agreement for the full suite of GovQA’s public records products attached to your response to this mini bid.

This is a brand name only specification. The brand name is GovQA. We will not accept any other solution.

Acceptance: The cloud-based public records solution must be fully implemented no later than ninety (90) calendar days after award of the PA. The Contractor must notify the agency (Information Technology Services, or ITS) when the cloud-based public records solution has been fully implemented. Whether or not the cloud-based public records solution is considered to be fully implemented will be based upon written acceptance of the cloud-based public records solution by the agency. Notification from the agency as to whether or not the agency accepts the cloud-based public records solution will occur no later than fourteen (14) calendar days after the Contractor notifies the agency that the cloud-based public records solution has been fully implemented. At this time the point of contact for the agency is Janice Packard (japackar@idoc.idaho.gov).

Vendor Submitted Agreement Documents: For any vendors that request that vendor-generated documents be considered, such as end-user license agreements, those vendors must submit with their response to the mini bid a pre-edited version of any such agreement. The pre-edited version must factor that the State will not consider terms and conditions that:

- (1) Waive the sovereign immunity of the state of Idaho;**
- (2) Subject the state of Idaho or its agencies to the jurisdiction of the courts of other states;**
- (3) Limit the time in which the state of Idaho or its agencies may bring a legal claim to a period shorter than that provided in Idaho law;**
- (4) Impose a payment obligation, including a rate of interest for late payments, less favorable than the obligations set forth in Section 67-2302, Idaho Code;**
- (5) Require the state of Idaho or its agencies to accept arbitration or to waive right to a jury trial;**

(6) Require the state of Idaho or its agencies to waive punitive damages;

(7) Require indemnification not specifically authorized by the Idaho legislature or subject to appropriation pursuant to Section 67-9215, Idaho Code, and Section 59-1016, Idaho Code;

(8) Give a higher order of precedence to the agreement document submitted by the vendor than the State of Utah Cooperative Contract (Master Agreement) or the contract awarded from this mini bid; or,

(9) Hold individual employees or officers of the state of Idaho personally liable.

If the State finds that the vendor has not pre-edited any such agreement that it submits with its response to the mini bid, the State reserves the right to not consider that vendor for award of contract.

If the vendor later submits an agreement document that it had not submitted with its response to the mini bid, whether pre-edited or not, the State reserves the right to not consider that vendor for award of contract, or, if the State has already awarded a contract to that vendor, to terminate the contract.

Additionally, if an employee or officer of the state of Idaho or of a political subdivision of the state of Idaho clicks-through acceptance of any terms and conditions associated with any website or portal provided by the Contractor (or a third-party), that click-through does not indicate that the employee or officer has accepted any clicked-through terms and conditions.

Further, if any website or portal provided by the Contractor belongs to any third party, the requirements of this Vendor Submitted Agreement Documents still stand.

Process: Vendors who are interested in providing the required cloud-based public records solution to the State through a PA must complete this form and the attached document with the heading “Key Requirements for Cloud-Based Public Records Solution” and submit it via email to the following contact **by Friday, May 21, 2021 at 5:00 p.m. Mountain time:** Jason Urquhart, Purchasing Officer; Jason.urquhart@adm.idaho.gov; 208-332-1608.

Alternate responses are not allowed.

The State will evaluate the responses and pursue a PA with the vendor who can provide the required cloud-based public records solution at the best value to the State, in accordance with Idaho’s State Procurement Act. By submitting a response, the vendor agrees to negotiate a Participating Addendum and any vendor submitted agreement documents (see the section with the heading “Vendor Submitted Agreement Documents” above) in good faith with the State if selected for award of a PA.

Discussions/BAFOs: Discussions with vendors that provide responses (including the utilization of one or more rounds of Best and Final Offer (BAFO) and/or Negotiations) may be conducted in accordance with IDAPA 38.05.01.083 and .084, as determined by the state of Idaho to be in its best interest. NOTE: Vendors should submit their best responses initially, as there is no guarantee that the state of Idaho will conduct any discussions.

Initial Purchase and On-Going Purchases: The Price Schedule below reflects a purchase that the Idaho Department of Correction intends to make. The state of Idaho requires that the full suite of GovQA’s

public records products be made available for purchase by state agencies and other public agencies (see the Public Agency Clause below) under the PA resulting from this mini bid.

Public Agency Clause: Prices offered in response to this mini bid must be made available to other “Public Agencies”, including agencies of the state of Idaho, and as defined in Section 67-2327 of the Idaho Code, which reads: "Public agency" means any city or political subdivision of this state, including, but not limited to counties; school districts; highway districts; and port authorities; instrumentalities of counties, cities or any political subdivision created under the laws of the state of Idaho; any agency of the state government; and any city or political subdivision of another state.” It will be the responsibility of the “Public Agency” to independently contract with the Contractor and/or comply with any other applicable provisions of Idaho Code governing public contracts.

Title and Version of the Software You Are Offering in Your Response	
Title of the Cloud-Based Public Records Solution	
Version of the Cloud-Based Public Records Solution	

Price Schedule	
These prices will be used in the evaluation. Prices requested below this table will not be factored in the evaluation.	
Item	Prices
1. Firm and fixed total cost for IMPLEMENTATION of the Cloud-Based Public Records Solution.	\$
2. Firm and fixed total cost for TRAINING of staff (This will be a train-the-trainer model, and the Contractor must provide a manual to the agency as well.)	\$
3. Price for one full year (Year 1; the initial term) of Cloud-Based Public Records Solution OPERATION & MAINTENANCE.	\$
4. Price for one full year (Year 2; a renewal period) of Cloud-Based Public Records Solution OPERATION & MAINTENANCE.	\$
5. Price for one full year (Year 3; a renewal period) of Cloud-Based Public Records Solution OPERATION & MAINTENANCE.	\$
6. Price for one full year (Year 4; a renewal period) of Cloud-Based Public Records Solution OPERATION & MAINTENANCE.	\$
7. Price for one full year (Year 5; a renewal period) of Cloud-Based Public Records Solution OPERATION & MAINTENANCE.	\$
Grand Total, Items 1 through 7:	\$

(Please provide a narrative tying your pricing back to your Master Agreement.)

Other tables:

Item	Prices
8. Hourly rate for TRAINING in addition to the TRAINING at Item 2 above. (Describe how the TRAINING will be provided in the row directly below.)	\$
9. Hourly rate for customization. (Nothing in the document with the heading "Key Requirements for Cloud-Based Public Records Solution" is to be considered as customization.)	\$

Item	
10. Include descriptions for things such as additional features not required within the document with the heading "Key Requirements for Cloud-Based Public Records Solution" that upon request by either agency would be added at no additional cost.	

Company: _____

Utah Master Agreement Number: _____

Name: _____

Signature: _____

Email: _____

Key Requirements for Cloud-Based Public Records Solution

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Required Functionality for Cloud-Based Public Records Solution	
(In addition to marking that your solution (the cloud-based public records solution you are bidding) has the required functionality, under each required functionality we've entered a row. In those rows describe how your solution has the required functionality.)	
Required Functionality	Enter a mark if the solution you offer has this required functionality (from the Required Functionality column) (cells left blank in this right-hand column will identify that your solution does not have the functionality, and so your response will not be considered for award)
Intake and delivery process for submitting and managing public records requests (including a public portal for requestors to submit requests)	
Functionality to create custom intake forms with required fields	
Outputs: <ul style="list-style-type: none"> o Email: consolidate records, notice of action and allows data custodian to reply to the request by email o Mail/Onsite review: consolidates records, notice of action and allows data custodian to print materials for onsite review or mail out the information to the requestor 	

Pause (put on hold), resume and cancel requests	
Customize user permissions and views	
Manage and track fees for estimates and invoices, including functionality to issue, process, log time and fees and to create an initial estimate and final invoice with actual time required to fulfill request	
Route tasks among departments (Data custodian, IT Security, Internal review, legal, etc.)	
Reassign tasks for escalation and exemptions	
Functionality to make redactions, annotations, comments/add consultation notes, including functionality for auto-redaction of Personally Identifiable Information (PII) and for creating custom redaction types	
Must be CJIS, HIPPA and FedRAMP compliant	

**Additional Requirements Related to Cloud-Based Public Records
Solution**

(In addition to marking that you will meet the requirement, under each requirement we've entered a row. In those rows describe how you meet the requirement.)

Requirement	Enter a mark if you will meet the requirement (from the Requirement column) (cells in this right-hand column left blank will identify that you will not meet the requirement, and so your response will not be considered for award)
Ongoing Training/Support Available (this is tied to the hourly rate for TRAINING under "Other tables" in the document with the heading "State of Idaho Division of Purchasing, Data Tracking Software Cloud Purchase")	
Fast Turn-around on customer service issues (acknowledgment of requests to Contractor's customer service within one (1) business day)	
Evidence of Security and Business Continuity Documents	