

State of New Jersey Office of the Attorney General
Addendum Number Four to RFP for E-Discovery Services
Questions and Answers

Question Number	RFP Section Reference	Question	Answer/
1		Will the bid due date be extended because of the delay in posting the answers to the second round of questions.	Yes. Because this Addendum is being posted on December 15, 2016, the bid due date has been extended to December 19, 2016.
2		Would it be possible to obtain and estimate on when question responses will be made available to us?	Answers to questions posed on or before November 4 were made available in Addendum Number Two to RFP for E-Discovery Services and posted on the Division of Law's website on November 25, 2016.
3		What is the date for submission of proposals in response to the RFQ.	The date for submission of proposals has been amended twice. It was originally November 18, 2016. With Addendum Number One it was extended to November 24, 2016. With Addendum Two it was extended to December 14, 2016. The deadline has now been extended to December 19, 2016 with Addendum Number Three.
4		Is there a pricing template you would like us to follow or should we create our own?	Bidders may create their own pricing templates that conform to the pricing information requested in the Revised RFQ Section 5.9 (as revised by Addendum 2).
5	6.0	TERMS AND CONDITIONS – We have an agreement between our firm and the Division of Law containing terms and conditions that the Division negotiated with us. We would like know if it is possible to refer to those terms and conditions for consistency and to assist with the contracting process.	No.
6	5.8.4 (E)	GENERAL INFORMATION – DOL has provided in its response to the first set of questions, a link to State of New Jersey Office of Information Technology data security and other technical requirements. Upon assessing the site, we found over 50 such policies. It would be difficult to review and certify compliance to a	No, being certified compliant with ISO 27001 is not sufficient to meet the RFQ requirements. Contractors will have to meet all New Jersey Office of Information Technology data security and other technical requirements. Attached are two OIT documents that guide OIT's review of a contractor's security and technical requirements. They are: Requirements of a Security Plan and Security Controls Assessment Checklist (Version1). Please note that column 2 on the Security Controls Assessment Checklist can be disregarded. Note, however, with the proposal, the bidder need not

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		<p>broad array of policies. However, our organization is certified compliant with ISO 27001, would this be sufficient?</p>	<p>submit a fully compliant security plan with its bid. Instead a bidder must provide a detailed description of its data security arrangements pursuant to RFQ §5.8.4(D); and a written assurance that it will comply with all State of New Jersey Office of Information Technology data security and other technical requirements, pursuant to RFQ §5.8.4(E) .</p>
7	5.6.1.3 (renumbered in Revised RFQ to be 5.9.1.3)	<p>Pursuant to the requirement to provide most favored pricing, bidder offers pricing based upon the scope, volume and duration of the services provided. Please provide approval that this will meet the requirements set out by the NJ AGO DOL's most favored nation pricing requirements.</p>	<p>DOL's most favored nation provision, §5.9.1.3, provides: To the extent that any of the prices specified above are higher than those charged by the Bidder to any current customer, set forth the difference and explain why those pricing terms cannot be offered to the State. Failing to provide any such explanation constitutes the Bidder's representation to the State that the Bidder <u>does not</u> offer more favorable pricing to any current customer.</p> <p>With this provision DOL expects that when a bidder submits its prices, even if they are based upon the scope, volume and duration of the services, that the bidder will offer the same pricing to DOL that it offers to bidder's other clients when their projects have a substantially similar scope, volume and duration of services unless a reason for explaining why the bidder is offering higher pricing to the Division of Law.</p>
8	5.6.2.2 (renumbered in Revised RFQ to be 5.9.2.2)	<p>In Composite 1, you require printing of 3,286 TBs of data prior to review for responsiveness. The volume of data printed would yield an exorbitant amount of pages (approx. 50-100 million) based upon our assumptions of requirements. This workflow would significantly increase the overall costs. Would the NJ AGO DOL accept an alternative workflow for Composite 1 which would lower the overall cost estimate by utilizing an early case assessment solution? We can provide cost estimates for the Composite as requested along with our alternative workflow if you'd like. Please advise.</p>	<p>Please note that Pricing should be provided (a) consistent with the information provided in the composite, even if the bidder believes that an alternate services or combination of services would better serve the nature of the project; and (b) if the bidder believes that an alternate service or combination of services would better serve the nature of the project, the bidder should clearly explain what services could be replaced by alternate services, the nature and extent of the alternate services, and provide the pricing for the alternate services.</p>
9	6.46	<p>Would the State consider the following change to RFP § 6.46, Insurance:</p>	<p>Yes, DOL will change the first paragraph of RFP §6.46 as follows:</p>

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		<p>The Contractor shall secure and maintain in force for the term of the contract insurance as provided herein. All required insurance shall be provided by insurance companies with an A- VIII or better rating by A.M. Best & Company. The Contractor shall provide the Division with current certificates of insurance for all coverages and renewals thereof, and Contractor agrees the certificates shall reflect that the insurance policies shall not be canceled for any reason except after sixty (60) days written notice to the Division. Certificates of renewals shall be provided within thirty (30) days of the expiration of the insurance. The Contractor shall not begin to provide services or goods to the Division until evidence of the required insurance is provided. The certificates of insurance shall indicate the contract number or purchase order number and title of the contract in the Description of Operations box and shall list the Division of New Jersey, Department of Law and Public Safety, PO Box 112, Trenton, New Jersey 08625 in the Certificate Holder box. The certificates and any notice of cancelation shall be emailed to the Division at:</p>	<p>The Contractor shall secure and maintain in force for the term of the contract insurance as provided herein. All required insurance shall be provided by insurance companies with an A- VIII or better rating by A.M. Best & Company. The Contractor shall provide the Division with current certificates of insurance for all coverages and renewals thereof, and <u>Contractor agrees</u> the certificates shall reflect that the insurance policies shall not be canceled for any reason except after sixty (60) days written notice to the Division. Certificates of renewals shall be provided within thirty (30) days of the expiration of the insurance. The Contractor shall not begin to provide services or goods to the Division until evidence of the required insurance is provided. The certificates of insurance shall indicate the contract number or purchase order number and title of the contract in the Description of Operations box and shall list the Division of New Jersey, Department of Law and Public Safety, PO Box 112, Trenton, New Jersey 08625 in the Certificate Holder box. The certificates and any notice of cancelation shall be emailed to the Division at:</p>
10	5.8.11	<p>a. Are bidders required to submit financials at the time of award of contract or upon submission of proposal?</p>	<p>a. Pursuant to RFQ Section 5.8.11, bidders are required to submit financials as part of their bid proposals.</p> <p>b. No, the Division of Law will not sign a nondisclosure agreement with the bidder prior to submission of the</p>

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		b. Will NJ AGO DOL execute an NDA prior to submittal of Proposal as financials are considered confidential information?	proposal. But see RFP Section 1.4.4 as to treatment of a bidder's confidential/proprietary information included in the proposal.
11		We are having issues with viewing Addendum 1. Would it be possible for you to send it to me in a PDF format?	Addendum Number One has been reposted.