



**Consulting Services for Independent Verification and Validation (IV&V) of
Electronic Health Records and E-Prescribing System (MEHRS/eScript)
RFP #20090306**

Responses to Submitted Questions

Question #	RFP Section #	RFP Page #	Question	Response
1	3.9	17	In the first paragraph of this section, the RFP is defined as the governing document. However, in the second paragraph it states that the contract "...supersedes all prior negotiations, representations, or agreement..." leading one to assume that the contract prevails. Can the DOM please clarify its intent with respect to the governing document?	The RFP in its entirety is a part of the Contract. In the event of a dispute or conflict the Contract shall be the first controlling. After the Contract, the order of priority is: the Bidder Questions and Answers, the Business/ Cost Proposal, the Technical Proposal, the RFP. All the documents shall be read and construed as far as possible to be one harmonious whole; however, in the event of a conflict or dispute, the above list is the list of priority.
2	3.9.7, 3.9.8	19	In the interest of maximizing participation in the bidding process, would the DOM respectfully consider either eliminating these provisions or, at a minimum, making them mutual between the parties?	Sec. 3.9.7 and 3.9.8 will not be modified.
3	3.9.9	19	In the interest of maximizing participation in the bidding process, would the DOM in paragraph two of this section respectfully agree to adding language that would limit the IV&V Contractor's indemnification in circumstances where the liability, loss, damage, costs or expenses are due directly to the negligence of DOM, the State of Mississippi, their officers, agents, employees, representatives, assignees, and contractors?	Sec. 3.10 will not be modified.

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4	3.10.1	20	In the interest of maximizing participation in the bidding process, would the DOM respectfully consider introducing a limitation of liability either equal to or a small multiple of fees paid under the contract?	Sec. 3.10.1 will not be modified.
5	3.15.8	25	Does the State of Mississippi maintain an approved list of small and minority-owned business enterprises that would allow prospective bidders to satisfy this requirement and to which prospective bidders could be directed?	The Mississippi Development Authority maintains a database of of all certified Minority Business Enterprises operating within the state. Their web address is www.mda.state.ms.us .
6	7.2.2	40	The first paragraph at the top of page 41 states that additional consideration will be given to proposals that offer a shorter project duration than anticipated by the RFP. The project duration referenced in the Implementation and Operations Services RFP has a timetable targeting implementation occurring six months after project start. Would the DOM provide clarification of its intent in this section?	This statement does not apply to this RFP as the IV&V work will be tied to the Implementation Contractors schedule.
7	8.1	44	Because the IV&V period of performance begins with project initiation, and continues through implementation of Phase 1, and for three months beyond the deployment into production of Phase 1, does this render the Phase 2 and 3 MEHRS/eScript vendor tasks and deliverables out of scope for IV&V?	This RFP is for IV&V services for Phase 1 and 3 months after implementation of Phase 1 (JJ Note)
8	8.2	45	In the last paragraph of this section, the IV&V Contractor is requested to assist DOM with APD modifications and updates. Can the DOM please clarify whether its intent is for the IV&V Contractor to prepare subsequent APD updates on behalf of DOM or merely assist DOM in their preparation?	The intent is for the IV&V contractor to make updates to the existing APD that may be needed during the course of the contract with assistance from the DOM. (JJ Note)

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9	8.4	45	Would the DOM please clarify whether the IV&V Contractor is expected to oversee and monitor the testing effort conducted by the MEHRS/eScript Contractor or to actually perform testing independent of that conducted by the MEHRS/eScript Contractor?	The IV&V Contractor is expected to be an active participant in the testing as outlined by the implementation contractor. The IV&V Contractor is also required to review test plans and make recommendation for approval or suggest modifications. The IV&V contractor will also be required to sign off on test results. (JJ Note)
10	8.9	48	Would the DOM please clarify if there are any restrictions on the number of IV&V Contractor staff that can be accommodated in DOM space?	We do not have any restrictions on the number. (JJ Note – I would not expect this to be a large number of people)
11	Appendix A, Budget Summary	49	The Budget Summary indicates a fifteen percent (15%) holdback until all deliverables have been approved. Would the DOM consider modifying this requirement in one of three ways: (1) reducing the percentage to five, or ten percent, or (2) releasing the retained dollars upon final acceptance of each deliverable, or (3) releasing the retained dollars upon the successful accomplishment of key project milestones?	No. This is our standard process.
12			Can you please share the details of functional and technical solution for MEHRS and eScript? In functional solution, we need to know the business processes involved and detailed functional requirements. In technical solution, we would like to know the technical architecture and technologies involved.	This information is not available at this time. It will be tied to the solution that is chosen for the MEHRS/eScript project
13			Who are the vendors/teams responsible for delivering various aspects of MEHRS/eScript project? Will selected vendor be responsible for quality assurance of deliverables of all these vendors?	The Vendor has not been chosen. Yes the selected Vendor will be responsible for quality assurance of the deliverables.

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14			Are you open to an independent assessment of project schedule and deliverable timelines by the selected vendor and revisions to them if required?	Yes. DOM is open to an assessment of project schedule and deliverable timelines.
15			Which are the testing automation tools that you plan to use for testing of MEHRS and eScript?	Not yet determined.
16			Is system performance testing in scope for this RFP?	Yes
17			Can you provide the estimate size of the applications MEHRS and eScript in Function Points?	This information is not available at this time. It will be tied to the solution that is chosen for the MEHRS/eScript project
18			Is the timeline for proposal submission likely to extend?	The proposal submission deadline will not be extended.
19	1.3	6	The requirement states, "To be eligible to submit a proposal, an Offeror must provide documentation for each requirement as specified below ..." What type of documentation is expected in response to this requirement?	The Offeror must determine what documentation best meets this requirement.

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20	3.2	10	This section states that DOM reserves the right to assess liquidated damages and off-set payments to contractor for failure to meet performance standards as set forth in the Scope of Work. We are unable to locate these standards nor is the amount stated for damages. Please clarify.	The performance standards are the requirements of the RFP in total. The amount would be dependent upon the amount of damages incurred.
21	3.9	17	Ambiguity is typically construed against the drafter but in this section it is stated that any ambiguity will be construed in the favor of DOM. We ask that the state consider replacing this sentence with "The language in this Contract shall be interpreted as to its fair meaning and not strictly for or against a party."	Sec. 3.9 will not be modified.
22	4.4.4	30	The RFP states, "After April 30, 2009, Offers submitting proposals will be notified when amendments are released." The proposal due date is April 10 th . Does MS anticipate amendments being issued after the proposal due date? What is the significance of the April 30 th date?	This date is hereby corrected to read "After March 20, 2009".
23	5.1	33	The RFP requires one copy of the Technical Proposal to be submitted on diskette or CD. No mention is made of submitting the Business Proposal electronically. Should the Business Proposal also be submitted on diskette or CD? If so, should the Technical and Business proposals be submitted on one CD or two CDs?	The Business Proposal should be on a separate CD.

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24	5.5.1	36	<p>This section indicates the Offeror is to submit organization charts that show “organization and staffing during each phase as described in the RFP”. Per Section 3.3 of this RFP, this contract “shall expire ninety (90) days after the successful operational go-live of the MEHRS/eScript Phase 1 System”. Please identify each phase for the purposes of responding to this IV&V RFP.</p>	<p>This RFP is for IV&V services for Phase 1 and 3 months after implementation of Phase 1</p>
25	3.9.7-8, 3.10.1	19-20	<p>Can you please confirm that per Sections 3.9.7, 3.9.8, and 3.10.1 the bidder is liable for punitive damages?</p>	<p>The intent of these sections is to indemnify DOM and the State against all damages, including punitive damages.</p>