

**The State of Alabama
Department of Finance
Information Services Division
Invitation to Bid
TA497**

Inmate and Public Payphones

1. **Purpose:** The State of Alabama, Department of Finance, Division of Purchasing on behalf of the Information Services Division (ISD) and the Department of Corrections, hereinafter referred to as the STATE, is accepting bids for the statewide installation of the equipment, provision of service and payment of commissions on telephone calls made from pay telephones on State owned or leased property (hereinafter referred to as STATE PROPERTY). This ITB will include both public and inmate pay telephone service in a concession service arrangement. Alternate bids will not be accepted.
2. **Contract Length:** The contract resulting from this ITB will be effective for a period of three years from the date the contract is issued by the STATE, with options for two one-year renewals following the initial contract. Commissions must remain firm, as do the Terms and Conditions, for a period of three years from the date of initial contract signing. Terms and Conditions must remain in place for any subsequent renewals. Commissions may be increased by the awarded vendor at any time. Commissions may not be decreased. All commission increases must be first be approved by State Purchasing. All subsequent renewal contracts must be agreed upon, by both parties, ninety days prior to the expiration of the existing contract. Commissions cannot be altered due to any fees or taxes mandated by federal, state, or local government.

Continuation of any agreement between the STATE and the awarded vendor beyond a fiscal year is contingent upon continued legislative appropriation of funds for the purpose of this ITB and any resulting agreement. Non-availability of funds at any time shall cause any agreement to become void and unenforceable and no damages shall accrue against the STATE as a result.

If necessary, for a period of up to six (6) months after the expiration of the contract, the awarded vendor may continue to provide services until service conversion takes place.

3. **Bid Pricing:** The vendor will bid inmate phones proposing a per diem rate that will be used to calculate a monthly commission. The per diem rate must be entered with three (3) decimal places. For example, if the bid per diem rate is \$2.00, then \$2.000 would be entered. The monthly commission will be calculated by multiplying the vendor's per diem rate times that month's average inmate count.

The vendor will bid public payphones proposing a percentage factor for all public (non-inmate) revenues. The percentage factor will be entered with three (3) decimal places. For example, if the bid percentage factor is 50 %, then 50.000 % would be entered. The monthly commission will be calculated by multiplying the vendor's percentage factor times that month's public payphone revenue.

4. **Contract Resulting from ITB:** This ITB and any Vendor responses and/or proposals thereto will become a part of any contract executed as a result of this procurement.

5. Vendor Compliance: Each Vendor, by signing and returning this bid, stipulates that it has read, understands, and will comply with all provisions of this ITB. Should it be determined by the STATE that a bid fails to specifically respond to all requirements that bid will be eliminated from consideration. The STATE will be the sole judge as to whether each item bid is consistent with the technical specifications and/or general requirements of this ITB.

6. Vendor ITB Responses:

6.1. Original/Copies: Each Vendor is required to submit one (1) original and three (3) copies of each bid. The bid must include ALL REQUIRED TECHNICAL AND PRICING DATA. The STATE is not liable for any cost incurred by a Vendor replying to this ITB.

6.2. Technical Documentation: Complete software and hardware product information, including technical and descriptive literature, must be submitted by the awarded vendor upon request by the STATE.

6.3. Customer References: Vendors must provide with their bid references a minimum of three (3) customers who are currently using the same software and hardware offered with the bid response. At least one of the references must be a state department of corrections or federal prison currently using the proposed system.

All customer references provided must include company name, customer contact name, telephone number, address, email, contract period, system/product installed and size of system. Failure to provide customer references as specified will result in disqualification of bid.

7. Bidders Conference: A MANDATORY bidders' conference will be conducted on April 4, 2012 at 10:00 a.m. CST in the Purchasing Auditorium, 100 N. Union Street, Suite 192, Montgomery. Questions requiring clarification of ITB contents must be received in writing (regular mail, or email) no later than April 3, 2012, 5:00 p.m. CST. Verbal responses in discussions during the conference are not binding. A formal, written reply to questions raised will be provided, within one week, to all bidders represented at the conference. Questions concerning this ITB should be directed in writing to:

Ms. Pat Antle
Buyer, Purchasing Division
Department of Finance
100 North Union Street, Suite 192
Montgomery, Alabama 36130
pat.antle@purchasing.alabama.gov

8. Term and Conditions:

8.1. Required Services: The awarded vendor is responsible for installation and maintenance of pay telephones and equipment at inmate and non-inmate (public) sites, providing local, intralata and interlata services, provisioning/ordering/payment of telco access lines, coin collection from coin pay phones, and the billing/collections process. On award, the vendor must also inspect each installation site and provide replacement phones, enclosures and panels as needed.

8.2. Prime Contractor: The awarded vendor will be the prime contractor in all matters, including, but not limited to installation, maintenance, trouble reporting, billing and any disputes associated with the requirements of the bid.

8.3. Use of Subcontractors: If any of the work is, or is to be, subcontracted, the awarded vendor must provide within the bid a description of the subcontracting organization and the contractual arrangements

8.3. Use of Subcontractors: If any of the work is, or is to be, subcontracted, the awarded vendor must provide within the bid a description of the subcontracting organization and the contractual arrangements made therewith. All subcontractors will be subject to approval by the STATE. The awarded vendor will also furnish the corporate or company name and the names of the officers or principles of said companies proposed as subcontractors prior to execution of the contract as specified in this ITB. The awarded vendor will be held responsible for all work performed by the subcontractor. All subcontracted work will be bound by the same terms as apply to the prime contractor.

8.4. Security: The awarded vendor and subcontractors must agree to abide by the security requirements of the State of Alabama, Department of Corrections. These requirements include but are not limited to the need to arrange security clearances for vendor's personnel, prohibitions on materials that may be carried in or out of correctional facilities, certification of vendor's employees and such other security measures as may be deemed appropriate by the Department of Corrections.

8.5. Vender Certification Requirements:

8.5.1. Certification: The vendor must be an independent pay telephone provider certified by the Alabama Public Service Commission to provide pay telephone services and facilities in Alabama by the bid submission deadline. Vendors are required to submit with their bid response a copy of the Certificate to Provide Pay Telephone Service granted by the Alabama Public Service Commission, with the date certified and docket number.

8.5.2. Rules and Regulations: All services and equipment offered by the awarded vendor must comply with all Federal and STATE laws, rules and regulations including but not limited to pricing, branding, provision of consumer information, accessibility to interexchange carriers, accommodations for the handicapped and any applicable construction, electrical and safety codes.

8.5.3. Permits and Licenses: The awarded vendor must provide all services in compliance with all tariffs, rules, and regulations, or licenses governing said services. The permits and licenses will be obtained without any cost to the STATE.

8.6. Tariffs/Rates/Charges:

8.6.1. Public Payphone Rates: The public coin/coinless telephones will be predominantly utilized by the citizens of, and visitors to, the State of Alabama. It is essential that the services are provided at reasonable and customary rates and charges without any special surcharges of any kind. The awarded vendor must define the length of the initial period and the billing increments for additional time for all services provided.

8.6.2. Inmate Rates: Inmate telephones at STATE Correctional facilities will be used to place collect calls and pre-paid calls. The awarded vendor offering automated, collect-only inmate phone calls, whether local or long distance, that originate from any municipal, county or state confinement facility located in the State of Alabama and terminate to a number within Alabama, shall be subject to the requirements cited in Alabama Public Service Commission Rulemaking Docket 15957, dated March 3, 2009 (Attachment D). This document specifies the maximum rates for services that can be charged. All inmate phone service vendors shall hold a Certificate of Public Convenience and Necessity to Provide Inmate Phone Service in the State of Alabama issued by the Alabama Public Service Commission prior to bidding or offering to bid on any Inmate Phone Service contract in the State of Alabama. No vendor shall offer this class of service within the State of Alabama without approval from the commission. No vendor

shall deviate from the specified requirements for allowable rates and services cited in Docket 15957 without prior approval from the Alabama Public Service Commission.

The current vendor is charging the maximum allowable rates as follows:

Local Calls: Station-to-Station: \$2.75 flat rate
IntraLata Calls: Station-to-Station: \$2.25 surcharge plus \$0.30 per minute
InterLata Calls: Station-to-Station: \$2.25 surcharge plus \$0.30 per minute
InterState Calls: Station-to-Station: \$3.95 surcharge plus \$0.89 per minute
20 Minute Minimum Call Duration

8.6.3. Fees: The STATE will not incur any costs associated with any State or FCC fees, nor will commissions be decreased due to any State or FCC fees or taxes, for the life of the contract. Additionally, no bill statement fees can be charged.

8.6.4. Fees to Inmate Families and Friends: Fees for deposits to inmates' account are allowable; however, they are capped at the rate charged by the current vendor. Current fees charged are included in the following table:

Prepayment Deposit Method	Maximum Allowable Fees
Certified Check by mail	\$0.00
Money Order by mail	\$0.00
Deposit sent via Western Union	\$0.00
Automated Interactive Voice Response Deposit - Any Amount	\$4.75
Credit Card Deposit via Service Rep - Any Amount	\$4.75
Internet Web Deposit - Any Amount	\$4.75
Lobby Kiosk Deposit - Cash or Credit Card	\$4.75

No additional fees, commissions or other payments will be charged without the explicit approval of the ADOC.

8.7. Preferred Interexchange Carrier (PIC) Changes: Preferred Interexchange Carrier (PIC) changes, which involve the switching of long distance service from one interexchange carrier to another, will be the sole responsibility of the awarded vendor. The awarded vendor must be responsible for all costs associated with PIC changes and for follow-up with the local exchange carrier to ensure that requested changes have been implemented expeditiously.

8.8. Publicity: Any publicity giving reference to this project, whether in the form of press releases or interviews, brochures, photographic coverage, or verbal announcements must have the advance approval of the Department of Finance, Information Services Division.

8.9. Moves, Adds and Changes:

The STATE expects, from time to time, to add and/or rearrange pay telephones at locations listed in the inventory. The awarded vendor will install service at new locations and relocate service in accordance with the terms of this Invitation-to-Bid, and as directed by the STATE.

8.9.1. The awarded vendor will install both inmate and public telephone service at correctional facilities.

8.9.2. All new or relocated service locations installed during the term of this contract or any renewal will be subject to terms and conditions and the payment of commissions at the rate established in the contract.

8.9.3. As a public service, the STATE will require (at certain locations, at no cost to the STATE), at least one public pay telephone regardless of volume or revenue. These locations will include, but will not be limited to, State Parks and State Highway Rest Areas. These locations will be determined by the STATE.

8.9.4. The STATE currently has approximately 400 public payphones in place. The STATE will not require the awarded vendor to place more than 50 additional public payphones during this contract.

8.10. Ordering Service: All orders for services from the STATE will be issued in writing and signed by the Service Delivery Manager of the Information Services Division or his authorized representative. The awarded vendor will not install, remove, modify, or change service at any location without this prior written approval. The awarded vendor must provide to the STATE (ISD) and to the site contact the estimated due date.

8.11. Vendor Responsibilities: In addition to all administrative, functional, and technical requirements specified in this ITB, the awarded vendor will be responsible for coordinating all service required from the local regulated telephone company. Vendor will be responsible for all charges from the local regulated telephone company for service provided.

8.12. Ownership of Pay Telephone Equipment: Ownership of all pay telephone equipment that is installed under this contract will remain the property of the vendor. The STATE will not accept ownership or liability for equipment or software.

8.13. ADMINISTRATIVE FEE: The awarded BIDDER shall pay each month to ISD an administrative fee in the amount of 1.5% (.015) of all commissions remitted under this contract during the prior month. The administrative fee will be paid to ISD each month before the 20th and will represent 1.5% (.015) of all commissions remitted under this contract during the prior month and adjustments for error corrections associated with earlier months. This fee shall not be included as a separate charge to any entity. Failure to comply with provisions of this paragraph will be grounds for the State's termination of the contract with the awarded BIDDER.

The check should be made payable to Alabama Department of Finance - ISD and should be mailed to:

Department of Finance
Division of Accounting and Administration
PO Box 300658
Montgomery, AL 36130-0658

Documentation must be included with the check showing the month and year to which the check applies and contract number TA497. Additionally, by the 20th of the month, a summary report listing all commissions paid under this contract, TA497, and the administrative fee paid to Alabama Department of Finance - ISD during the prior calendar month. The report can be a MS WORD or EXCEL soft copy attachment to email sent to: telecom.admin@isd.alabama.gov.

8.14. Commissions:

- 8.14.1. Commission Reports:** Awarded vendor will furnish all reports specified in Section 9.4. During the term of the contract, within sixty days of the close of the vendor's billing cycle, two copies of the traffic reports and commission statements must be provided to the Information Services Division. Electronic copy may be acceptable if approved by Information Services Division.
- 8.14.2. Monthly Commission Amounts Public Pay Phones:** Commissions owed to the STATE will be calculated by multiplying the vendor's public commission percentage by the vendor's total gross public (non-inmate) revenue for that month. Commissions may be increased by the awarded vendor at any time. Commissions may not be decreased. All commission increases must be first approved by State Purchasing. Gross revenue is defined as all revenue, whether controlled by the vendor or not, generated by the telephone via customer origination. Examples of originated revenues are: coin, 0+, 0-, 01+, 011+, 00-, 10xxx, 950-10xx, 1-800-xxx-xxxx, bank card, travel and entertainment card revenue and not merely commissions paid to a vendor by a subcontractor, e.g. Operator Services Provider (OPS), or interexchange carrier.
- 8.14.3. Monthly Commission Amounts Inmate Phones:** Monthly commissions will be calculated by multiplying the average number of inmates in ADOC custody for the month by the vendor's awarded per diem rate multiplied by the number of days in the billing month. The per diem rate may be increased by the awarded vendor at any time. The per diem rate may not be decreased. All per diem rate increases must be first be approved by State Purchasing.

8.14.4. Commission Remittance Public Pay phones:

Commissions for payphones must be remitted to be received by the STATE within sixty (60) calendar days of the close of each period for which commission is being paid. Commissions will be forwarded to:

Ms. Priscilla Coker
Department of Finance
Information Services Division
Customer Service/Service Delivery
64 North Union Street, Suite 250
Montgomery, AL 36130

Public pay phone commission checks should be made payable to:

State of Alabama
Telephone Revolving Fund

8.14.5. Commission Remittance Inmate Phones:

Commissions for inmate phones must be remitted to be received by the STATE within fifteen (15) calendar days after the vendor has been notified by ADOC of the average number of inmates in ADOC custody for the month for which the commission is being paid. Commissions will be forwarded to:

Ms. Cindy Dennis
Alabama Department of Corrections
Accounting Division
PO Box 301501
Montgomery, Al 36130-1501

Inmate phone commission checks should be made payable to the Alabama Department of Corrections.

8.14.6. Commission Guarantee Bond:

Awarded Vendor is required to post a commission bond for a maximum amount of \$5,000,000 to State Purchasing within ten (10) days after award. The Director of Purchasing shall be the custodian of the commission bond. The bond must reference the contract and be payable to the State of Alabama. The commission bond will be returned in a reasonable time after the Division of Purchasing has received verification that the contract has been satisfactorily completed. The commission bond must be issued from a surety company that meets the following requirements:

- 8.14.6.1. The surety company must be certified to do business in the State of Alabama.
- 8.14.6.2. The surety company shall have been in the surety business for at least five (5) years.
- 8.14.6.3. The surety company shall have a minimum Best's Policy Holder rating of A and required financial of VIII from Best's Key Rating Guide.
- 8.14.6.4. All bonds shall be signed by a Licensed Resident Agent that holds current Power of Attorney from the surety company issuing the bond.

8.14.7. Default of Commission Payment: If the awarded vendor fails to pay to the STATE any contractual amount owed as specified in the resultant contract when due and payable, or fails to perform promptly any of the other covenants or obligations contained herein, and such default or failure to perform continues for a period of thirty days after written notice of such failure to pay or perform is received by the vendor, then the STATE will have the right to cancel the contract and proceed against the Commission Guarantee Bond.

8.15. Insurance: The awarded vendor must possess at a minimum the following types of insurance and in the amounts indicated:

Commercial General Liability	\$1,000,000
Worker's Compensation/Employer's Liability	\$ 500,000

The vendor shall insure all equipment associated with the ITB and will not hold the STATE responsible for theft, loss, or damage to any equipment. Insurance certificate from the insurance company must be submitted to State Purchasing within ten (10) days after award and show the State of Alabama as the certificate holder.

- 8.16. Conversion:** The awarded vendor must convert at no cost to the STATE, all existing inmate and public pay telephones, equipment, and facilities (i.e., circuits and wiring). The STATE will not be responsible for any costs associated with conversion.

9. Current Environment:

9.1. Inmate Population:

The average in house inmate population for calendar year 2011 was 25,508. Additional statistical information for the department is available at <http://www.doc.alabama.gov/>.

9.2. Public Payphone Inventory

Attachment A contains an inventory listing of public pay phones at state agency locations. This listing also includes any coin telephones at DOC locations. This information is provided to assist vendors in preparing their bids and is based on the most current information available. No representation is made that this information is complete and accurate.

9.3. Department of Corrections (DOC) Inmate Telephone Inventory

Attachment B contains an inventory listing of inmate telephones at the Department of Corrections facilities (Correctional Facilities and Work Release Centers). This information is provided to assist vendors in preparing their bids and is based on the most current information available. No representation is made that this information is complete and accurate.

9.4. Revenue Summary

Attachment C is a summary of inmate and payphone revenue from January 1, 2011 through December 31, 2011. These are the actual total revenues generated by the calls placed (not just the STATE's commission amount). No representation is made that this information is complete and accurate.

10. Administrative Requirements:

10.1. Productive Use Requirements

The objective of the Productive Use Requirements is to protect the STATE from being the test site for new telephone hardware, software and enhanced services. All proposed services must have a record of proven performance.

10.1.1. Customer In-Use

The purpose of the Customer In-Use requirement is to ensure that telephone equipment and related services of the payphone and inmate telephone service will perform to required specifications in support of this State program.

The following requirements are intended to apply to all pay telephones associated with this ITB, hardware, wiring and cabling must meet current National Telephone Industry Association (NTIA) reliability standards. Enclosures and related materials will meet all applicable standards identified by the FCC and the Alabama Public Service Commission. Pay telephones, line access and transmission quality will meet industry standards and all State and Federal regulations.

Pay telephones and associated enclosures must comply with all applicable Federal, State and local laws, rules and regulations concerning use of such telephones by disabled persons and the hearing impaired.

Modifications or updates to services provided which offer improvements or additional features may be allowed at no additional charge to the State. However, any modifications or updates must be approved by the STATE prior to actual telephone installation.

- 10.1.1.1. Pay Telephone (coin or coinless) Hardware: Each type of hardware component installed by the awarded vendor under the terms and conditions of this ITB must have been installed and in productive use, in substantially the configuration proposed, by a customer external to the vendor's organization, for at least six (6) months prior to the bid submission date for this ITB.
- 10.1.1.2. Other Hardware: Enclosures, and other hardware external to the actual pay telephone instrument, must have been installed and in productive use by a customer external to the awarded vendor's organization, for at least six (6) months prior to the bid submission date for this ITB.
- 10.1.1.3. Pay Telephone (coin or coinless) Software: Programmable software residing in each telephone installed by the awarded vendor must have been installed and in productive use, by a paying customer external to the vendor's organization, for at least six (6) months prior to the bid submission date for this ITB.
- 10.1.1.4. Other Software: Other software means any software in operation for the purpose of data gathering; maintenance and reports related to, but not limited to, coin collection, call detail information, revenue/commission, and other related business activities. Each item of software, other than that residing in the telephone, proposed by the vendor in response to this ITB must have been installed and in productive use, in substantially the configuration proposed, for a customer external to the vendor's organization, for at least three (3) months prior to the bid due date for this ITB. The singular exception to this requirement is report software that may require development for the express purpose of providing reports specific to, and required by, the State of Alabama.

10.1.2. Equipment Reliability and Maintainability Information

- 10.1.2.1. The awarded vendor must provide information regarding diagnostics and methods used for detecting out-of-service conditions and full coin-in-box conditions.
- 10.1.2.2. The awarded vendor will include, with the above, a narrative describing the quality control and reliability program currently in operation within the company that manufactures the proposed telephones and within the bidding company's organization (including subcontractors).

10.1.2.3. The awarded vendor will include, with the above, information regarding credit card authorization, method of data storage of billing information, transfer of this data to billing agent (if applicable), and assurances of billing accuracy. Awarded vendor must also describe their billing system for preparing bills to the calling or called party and the involvement of a local exchange carrier (LEC) or a third party in the billing process.

10.1.3. Vendor Responsibilities

10.1.3.1. The awarded vendor will provide all material and labor necessary to install, test and implement each payphone and inmate telephone service(s), at no cost to the STATE.

10.1.3.2. The awarded vendor will bear the full cost of installing, providing, and maintaining telephone line access services to each public payphone and inmate telephone site. This includes all responsibility for provision of associated cable and conduit and any attendant costs thereof.

10.1.3.3. Services must be installed and implemented in a manner and a time frame designed to minimize disruption of the normal functioning of STATE activities. Service affecting service conversion will be scheduled in advance with the facility manager and ISD. Service conversions at Correctional facilities will take place at a date and time approved by the Correctional Facility Warden.

10.1.3.4. The awarded vendor will be responsible for restoration of STATE PROPERTY premises in cases where defacement or damage occurs as a result of equipment installation, removal, trenching, or burying of cable.

10.1.3.5. The awarded vendor will be responsible for coordinating all service required from the local telephone company. The vendor will also be responsible for all charges related to telephone company service provision.

10.2. Installation and Maintenance

10.2.1. General

The awarded vendor will provide the necessary labor, parts, materials, and transportation to maintain all proposed telephone and related services equipment in good working order and in compliance with the equipment manufacturer's specifications throughout the life of the contract, at no cost to the STATE.

The awarded vendor must maintain all pay phones (inmate and public), related equipment, and any wiring and software required and provided under this contract, in good working order.

The awarded vendor will provide telephone equipment personnel who have been trained and qualified on the equipment and software to be serviced and/or certified by the equipment manufacturer if such certification is required by the manufacturer.

10.2.2. Problem/Solution

The awarded vendor will be responsible for determining whether a line access failure is the fault of the local exchange carrier (LEC), the interexchange carrier's (IXC), or the provider's equipment. If the vendor(s) determines that the telephone company is at fault, then the vendor will contact the telephone company and negotiate the desired services. If the failure is determined to be the fault of the vendor's equipment (hardware, software or wiring) the problem will be corrected by the vendor. The vendor will be held accountable to isolate and correct all failures involving 20% or more of the telephones at any single location within four (4) hours and failures involving fewer than 20% within 24 hours.

In the event that a problem cannot be solved in these time frames, the vendor must contact the state agency involved for the problem location and propose a plan to correct the problem. The proposed solution must meet with the satisfaction of the STATE.

10.2.3. Warranties

The awarded vendor warrants that the equipment and software will be in good working order when installed and will repair or replace malfunctioning equipment whenever required. Equipment may not be out of service for more than 24 hours without notifying the STATE.

10.2.4. Certification of Acceptance

The awarded vendor must notify the STATE no fewer than five (5) working days prior to an area having its service converted. Service conversion will not begin without approval of the facility manager or Correctional Facility Warden.

The vendor will ensure that the services installed have been thoroughly tested and made ready for use. Installation will not be considered satisfactorily completed until the vendor receives written notification from the STATE that the installation has been accepted and that the installed system or service is working properly. If the system or service is not accepted by the STATE after thirty (30) days, the STATE may grant an additional fifteen (15) days, or terminate the contract for default. The STATE may postpone conversion of the remaining facilities until the first installation is accepted.

The vendor will be responsible for preventive maintenance as may be required by the equipment manufacturer and as necessary to maintain the levels of services proposed and required by the Invitation-to-Bid.

10.2.5. Cleaning

The awarded vendor will be responsible for ensuring that all payphones (inmate and public), booths, and enclosures are cleaned and sanitized as needed or within three (3) days of a request by the facility. A cleaning of each telephone, enclosure, or booth must occur at a minimum of once every twelve months.

The vendor will remove, when necessary, all fingerprints, graffiti, stickers, posters, litter, insects, dust and dirt from each telephone and from a three (3) foot radius surrounding the telephone exclusive of private property.

10.2.6. Miscellaneous

The awarded vendor will inform the STATE immediately upon any occurrence of an unusual nature that may result in prolonged (more than 4 hours) or serious (more than 20% of equipment) service interruption. The vendor will perform any work requiring prolonged or serious service interruption at a time which will cause minimum disruption to the users in agreement with the designated STATE representative and at a time mutually agreed upon by the vendor and the STATE.

The vendor's repair services will be available at the payphone and inmate sites 24 hours a day, seven days a week. The only exception to this requirement may be, on an individual location basis, where 24 hour access is restricted and where this access restriction is beyond the control of the vendor.

10.2.7. Fraud/Theft/Bad Debt

The STATE will bear no responsibility for fraudulent calls.

The STATE will bear no responsibility for theft of funds; and furthermore, no stolen or lost funds or fraudulent call billings will be deducted from revenues on which commissions are paid to the STATE.

Awarded vendor will not deduct any revenue from the STATE's commissions for bad debt.

10.2.8. Unbillable/Uncollectible Calls

The STATE will bear no responsibility for unbillable or uncollectible calls. Unbillable or uncollectible calls may not be deducted from gross revenues on which commissions are paid to the STATE.

10.3. Training

10.3.1. Overview

Awarded vendor must provide to all STATE personnel designated as telecommunications administrators, information regarding the operation of equipment and service offered. Training must also encompass methods by which these STATE employees can assess their environment and develop a plan for better placement of pay phones that maximizes usage, services, commissions, and special agency needs. All training will be done at no

cost to the STATE for the life of the contract. Initial training will be required for approximately five employees at each of the 30 Department of Corrections sites. In addition, approximately 12 other STATE employees (DOC and ISD) will need to be trained.

10.3.2. Training Plan

10.3.2.1. The awarded vendor must submit a training plan within ten (10) days of award that provides adequate STATE personnel training for the execution of the contract. The plan must have STATE approval prior to implementation. The training plan will define training available to State personnel both initially and on an as needed basis over the life of the contract at no cost to the STATE. The times and locations of training will be mutually agreed upon by the State agency and the vendor. **NO TRAINING WILL TAKE PLACE OUTSIDE OF THE STATE OF ALABAMA.** A separate training plan will be required for inmate services.

10.3.2.2. Awarded vendor must, if requested by the Department of Corrections, make its employees available for any applicable training related to working in and around correctional facilities. Training date and schedules will be coordinated by the Department of Corrections. The STATE will not be responsible for vendor expenses.

10.3.2.3. All initial training at a location must be completed prior to service conversion of that location.

10.4. Management Information and Reports

The awarded vendor must provide the reports described below.

All reports must be formatted in such a way that the reports can be used to audit the requirements of this ITB. The awarded vendor must present report formats to the STATE within ten (10) days of award for approval. The STATE must approve report formats prior to their implementation. In addition, other reports must be provided as reasonably required by the STATE. All payphone lines must be reported whether they generated commissions or not. The STATE requires that all reports be submitted in a viewable electronic format.

10.4.1. Minimum Reporting Requirements for Revenues & Commissions

10.4.1.1. Revenues (separately identified for coin and non-coin revenue)

10.4.1.1.1. Per telephone (By Location)

10.4.1.1.2. Per Location (e.g., Building A, B, etc.)

10.4.1.1.3. Per Accounting Code as supplied by the STATE (Accounting Code is a ten digit alphanumeric code used by the Finance Department's Information Service Division to allocate charges and distribute revenue to the appropriate state agency. The AU code for Kilby Prison, for example, is COR-62-200.)

10.4.1.2. Commissions

10.4.1.2.1. Local Commissions Earned by Account and Total

10.4.1.2.1.1. per telephone (by location)

10.4.1.2.1.2. per location

10.4.1.2.1.3. per Accounting Code as supplied by STATE

10.4.1.2.1.4. STATE totals

10.4.1.2.2. IntraLATA Commissions Earned by Account and Total

10.4.1.2.2.1. per telephone (by location)

10.4.1.2.2.2. per location

10.4.1.2.2.3. per Accounting Code as supplied by STATE

10.4.1.2.2.4. STATE totals

10.4.1.2.3. InterLATA Commissions Earned by Account and Total

10.4.1.2.3.1. per telephone (by location)

10.4.1.2.3.2. per location

10.4.1.2.3.3. per Accounting Code as supplied by STATE

10.4.1.2.3.4. STATE totals

10.4.1.3. Frequency of Reports

10.4.1.3.1. Monthly

10.4.1.3.2. Cumulative

10.4.2. Minimum Reporting Requirements for Telephone Data

10.4.2.1. Calls, Gross Revenues, Minutes of Use (coin and non-coin)

10.4.2.1.1. Local

10.4.2.1.2. Intralata

10.4.2.1.3. Interlata

10.4.2.1.4. International

10.4.2.2. Level of Detail

10.4.2.2.1. Per telephone by Location

10.4.2.2.2. Per Location

10.4.2.2.3. State Total

10.4.2.2.4. By Accounting Codes as provided by STATE

10.4.2.3. Frequency of Reports

10.4.2.3.1. Monthly

10.4.2.3.2. Cumulative

10.4.3. Service Outage Report

This report will be provided within seven (7) calendar days of request and include the following information for pay telephones that were out of service for 24 or more continuous hours:

- 10.4.3.1. Phone Number
- 10.4.3.2. Location of Telephone
- 10.4.3.3. Time and date of notification
- 10.4.3.4. Time and date of service restoration
- 10.4.3.5. Cause of outage

10.4.4. Service Record Report

This report will include the company's service record on a quarterly basis with a year to date summary. The following reports will be submitted within 30 days after the end of the quarter:

- 10.4.4.1. Number of service outages
- 10.4.4.2. Average time to repair trouble
- 10.4.4.3. Average outage time

10.4.5. Change of Telephone Numbers

This report will be provided within seven (7) calendar days of request and include the following information associated with a change in telephone number.

- 10.4.5.1. Previous telephone number
- 10.4.5.2. Location of telephone
- 10.4.5.3. New telephone number
- 10.4.5.4. Reason for change

10.4.6. Periodic Inventory

This report will be submitted to the STATE within seven calendar days after request. It will include a current, complete, and accurate accounting of all telephones and enclosures by telephone number, by type, and by location within each building.

10.5. New Area Codes/Dialing Changes

The awarded vendor is responsible for making any hardware or software changes necessary to implement new area codes, or any dialing pattern changes. These changes must be made and implemented on the date of implementation as set by the Regional Exchange companies.

10.6. Rates, Charges and FCC/PSC Compliance

10.6.1. Answer Supervision

Billing/charges for pay telephone use must begin at the time of call completion. Users will not be billed for incomplete calls (e.g., network intercept recordings, busy signals and no-answers). This applies to direct-dialed calls and operator-assisted calls.

10.6.2. FCC and PSC Compliance

The awarded vendor and all subcontractors will comply with all current applicable FCC and PSC rules and regulations throughout the term of the Contract.

10.7. Unprofitable Pay Telephones

Pay telephones installed by the awarded vendor may be reviewed by the vendor(s) for profitability every twelve months. When the gross total revenues generated because of the placement and usage of the telephone does not cover the vendor's expenses, the vendor(s) may petition the STATE for relocation of the telephone. In each case, the decision of the STATE will be final. The STATE may require a limited number of pay telephones to be placed in selected locations for convenience, safety, or security -- regardless of revenue generating potential.

10.8. Other Administrative Requirements

10.8.1. Subcontractor Requirements

The awarded vendor will be responsible for coordinating and controlling all aspects of the contract, including support to be provided by any subcontractor and/or secondary contractors, and will be the sole point of contact with the STATE relative to contract performance.

10.8.2. Subcontractor List

Each participating vendor must submit with the bid a list of proposed subcontractors. The list must contain for each proposed subcontractor a vendor number (FEIN/SSN), vendor name, street address, mailing address (if different from street address), contact person, telephone number, toll-free telephone number (if available), fax number, and the scope and function described in detail. This list must be updated and maintained by the awarded vendor for the life of the contract.

10.8.3. Right to Audit

Representatives of the Alabama Department of Finance and the Alabama Public Service Commission or their duly authorized representatives will have access, for the purpose of examinations, to any books, documents, papers, and records of the awarded vendor as they may relate to the awarded contract.

The awarded vendor will maintain books, records, and documents in accordance with generally accepted accounting procedures which sufficiently and properly reflect all Gross Revenues generated by pay telephones covered under this contract for a period of three years. The STATE may cancel any contract for refusal by the vendor to allow the STATE access, within seven (7) working days, to all documents, papers, letters, or other materials originated or received by the vendor in conjunction with the contract.

The awarded vendor will be required to install intelligent telephones that will track and log all calls generated by that telephone. These records will be used to audit Gross Revenue. These records must include number of calls and number of minutes.

10.8.4. Coin Collection Schedules and Procedures

The awarded vendor will submit within ten (10) days of award a coin collection schedule and a description of collection procedures, counting procedures, and deposit procedures, including the security procedures to safeguard funds from theft.

10.8.5. Moves, Changes, Additions, and Deletions

The STATE will have the right to initiate moves, changes, additions, and/or deletions of pay phones or inmate telephones. The STATE will work with the awarded vendor to achieve the best balance of service, cost, and commissions.

10.9. Indemnity

The awarded vendor must expressly warrant that its proposed equipment and software do not infringe on the patent, copyright or trademark of others. The awarded vendor will indemnify, defend and save harmless the State of Alabama, its officers, agents, and employees, from any legal action or litigation resulting from patent, trademark, and/or copyright infringements.

10.10. Special Considerations for Installation and Maintenance Work at Correctional Facilities

10.10.1. Security

At least 48 hours prior to starting work at any correctional facility, awarded vendor will supply the full name, date of birth, and social security number for all its employees and/or its subcontractors' employees who may be working at each institution to the institution facility manager at that location. All vendor personnel must present a picture ID to be admitted into a facility. Vendor's personnel must meet the security standards prescribed by the Department of Corrections, its applicable regulations, and must obtain passes, permits, and security clearances as applicable. The Department of Corrections may summarily reject any vendor's employee which it believes does not meet its security requirements, or who violates any of its security rules, regulations, or policies. Failure to provide personnel who meet DOC security requirements may result in cancellation of any contract awarded under this ITB.

10.10.2. Contraband

Any person who takes into or out of, or attempts to take into or out of a correctional facility or the grounds belonging to or adjacent to a correctional facility, any item not

specifically authorized by the correctional facility will be prosecuted under the provisions of Alabama law. All persons, including employees and visitors, entering the confines of a correctional facility are subject to routine searches of their person, vehicles, property, or packages. Contraband is defined as any item not permitted by law or not authorized by ADOC or institutional policy. Contraband includes but is not limited to any drugs illegal or prescription, alcoholic beverages, weapons, unauthorized cell phones, unauthorized electronic equipment, and or any other article the use or possession of which would endanger the safety, security, or preservation of order in a correctional facility or any person therein.

10.10.3. Awarded Vendor's Personnel

The awarded vendor will not employ any individual to perform work under this contract who has previously been determined unacceptable for performance under any Department of Corrections contract, or who has been terminated for cause by the Department of Corrections. Vendor will discontinue the use of any employee for performance of work under the contract upon written notice from the Department of Corrections that the individual is not, or is no longer acceptable for performance under this contract. Vendor personnel will abide by applicable regulations and directives of the Department of Corrections.

10.10.4. Vandalism

Any act of vandalism, break-in, or actual or attempted intrusion into either equipment or software discovered by the vendor must be reported immediately to the institution facility manager. The STATE will bear no responsibility for the cost of vandalism to awarded vendor's property at any of the STATE's facilities.

10.10.5. Surveillance

The Department of Corrections may perform surveillance of vendor's employees to detect improper activity. Such surveillance may include the use of electronic equipment. Vendor will inform employees that such surveillance may be conducted, and that any individual suspected to be guilty of illegal conduct may be prosecuted.

10.10.6. Certification by Vendor's Employees

The awarded vendor will obtain written certification from its employees that they have been informed of the special conditions in this section of the ITB, and will maintain the certification on file for the term of the contract. Such certification will be provided to the Department of Corrections upon request.

10.10.7. Activities Prohibited

The awarded vendor will not, in or about the premises of the institution, engage in or permit gambling or the use of any device which favors gambling (such as punch cards or slot machines), engage in loan operations, or sell unauthorized merchandise or services.

10.11. Implementation and System Documentation

The awarded vendor is required to provide:

10.11.1. Training Plan

The awarded vendor will provide, within ten (10) days of award, the proposed plan to provide training for ISD/ADOC employees. Training plans must address both non-inmate and inmate requirements. All training must be complete prior to cutover.

a. Training for Public Telephone Administrators

The awarded vendor will describe the nature and content of their training program for State personnel who will serve as liaison between the vendor and State agencies for which service will be installed.

b. Training of Correctional Facilities Personnel

The awarded vendor is required to provide on-site training of up to five personnel per institution to administer and manage the system. Vendor will describe the nature and content of their training program. At a minimum, the training program must include hands-on instruction on the use of the administrative and management systems and reports as well as any other topics required for full understanding, administration, and operation of the system. Each trainee and the institution facility manager will be provided a complete set of operating instructions for the administration and management system, to include software and hardware. They will be sufficiently detailed that an individual familiar with rudimentary PC commands and operation can administer and manage the system using the operating instructions provided.

Follow-up training will be provided by the awarded vendor at any time that software and/or operation of the administration and management software is changed. Revised written operating instructions will also be provided. Copies of updated software must be provided to the institution project manager within thirty days of release of updated software.

10.11.2. Implementation Schedule

The awarded Vendor must submit an implementation schedule for conversion of existing inmate pay telephones and public pay telephones. Implementation must be expeditious, not to exceed six months from the date of award.

10.11.3. Inmate System Description and Documentation

The awarded Vendor must submit, within ten (10) days of award, a description of and any documentation for the proposed equipment, system and software.

11. Technical and Functional Requirements:

11.1. General Functional Requirements

- 11.1.1.** The awarded vendor will provide the full range of payphone services offered today to the public. In addition, a full range of payment options will be available to consumers at pay phones located on STATE PROPERTY. The STATE also requires that all public pay phones provide dial tone first and DTMF (Touch Tone) dialing where available. The current level of service must be satisfactorily maintained at all times during transition to new vendor service.
- 11.1.2.** The awarded vendor must comply with all decisions, policies and regulations of the Federal Communications Commission (FCC) and the Alabama Public Service Commission (PSC) as currently written and as amended during the entire term of the contract. Compliance includes, but is not limited to, forms of interconnection, access to interexchange carriers and posting of required information at each pay telephone.
- 11.1.3.** Instruments and enclosures proposed must be designed to accommodate use by the hearing impaired and the physically disabled. Provisions for wheelchair access must comply with all federal and state regulations. Provisions for the deaf must comply with federal and state regulations including requirements relating to TDDs (Telephone Devices for the Deaf, also known as Public Text Telephones).
- 11.1.4.** All "instrument implemented" telephones must be FCC registered, as required by law, including Part 68 and Part 15 of the FCC rules and all modifications thereof.
- 11.1.5.** All telephones and enclosures must be in compliance with the National Electric Code and must be UL approved as required.
- 11.1.6.** All systems must provide a coin and non-coin transaction audit trail which enables the STATE to verify the coin and non-coin revenues generated from the pay phones and which enables the STATE to verify all dial around/bypass traffic generated from pay phones located on State property.
- 11.1.7.** The pay telephones required to be deployed by the vendor (s) will include indoor and outdoor installations, as well as "coin", "non-coin", "universal", and "inmate" instruments. The final mix of pay telephone types will be determined by the STATE after consultation with the vendor.

A **coin pay telephone** is defined as a pay telephone instrument that permits payment for calls through the use of coins. This instrument also permits the following billing options: calling card, collect, and third party.

A **non-coin pay telephone** is defined as a pay telephone instrument that does not permit the use of coins. This instrument does permit payment through calling card, collect and third party billing options. It may also accept credit cards.

A **universal pay telephone** is defined as a pay telephone instrument that accepts payment by either coin or non-coin, as described above, and also permits the insertion or swipe of a credit card and, optionally, a calling card for billing.

An **inmate pay telephone** is defined as a non-coin pay telephone that permits:

- Collect calls - Person accepting charges for the call is billed on his telephone bill, debit card or pre-paid account.
- Prepaid Calls - Person establishes a prepaid account directly with the vendor for the benefit of a particular inmate.
- Debit Card Calls – Funds are transmitted directly to the vendor from an inmate's funds held by the ADOC.

Awarded vendor will be responsible for software/hardware integration with current or future EFT systems employed by the ADOC.

11.2. Public Payphone Services (Non-Inmate)

Public payphone services are solicited for consumers at State agencies and departments located on properties owned/leased by the State of Alabama. The awarded vendor will provide the following services:

- 11.2.1. Local Service:** This is defined in LEC tariffs as those exchanges which can be called from a public payphone at tariff local rates.
- 11.2.2. IntraLATA toll service:** This is defined in LEC tariffs as calls within the regional calling area of the LEC but beyond the local calling area. These calls are priced according to mileage tables contained in LEC tariffs.
- 11.2.3. InterLATA toll service:** These are calls placed within one LATA (Local Access Transport Area) to a different LATA and are carried by long distance companies.
- 11.2.4. Operator assistance:** Callers will be able to access an operator by dialing "0", or "00" for assistance.
- 11.2.5. Emergency Services:** The awarded vendor's telephones must offer access to 911 emergency services where available. All proposed telephones must meet the requirements of the State of Alabama, Public Service Commission and must enable a caller to dial 911 for emergency services, and to reach an operator by dialing 0, without the necessity of inserting a coin.
- 11.2.6. Pay Telephone Service for Patrons in Wheelchairs:** The awarded vendor must provide access to public telephones in accordance with applicable federal and state laws, including but not limited to the Americans with Disabilities Act Accessibility Guidelines (ADA) for Buildings and Facilities as amended.
- 11.2.7. Pay Telephone Service for the Hearing Impaired:** The awarded vendor must provide pay telephone instruments in accordance with the requirements listed in sections 10.2.7.1 through 10.2.7.3 below.
 - 11.2.7.1.** The awarded vendor must provide TDDs (or public text telephones as they are also known) in accordance with applicable federal and state law including but not limited to Americans with Disabilities Act Accessibility Guidelines (ADA) for Buildings and Facilities as amended.

- 11.2.7.2.** All pay telephones must be hearing aid compatible in compliance with federal regulations.
- 11.2.7.3.** Pay telephones must provide volume control in accordance with federal and state regulation.
- 11.2.8.** Operation During Power Loss: All pay phones that require commercial AC power for full operation will continue to provide 911, 0+, 0- and coin operation for a minimum of eight hours during a commercial power failure.
- 11.2.9.** Directory Assistance: Access to local and long distance directory assistance will be provided from all telephones located on STATE PROPERTY.
- 11.2.10.** Directories: Directories will be provided in all locations where currently furnished or where subsequently required by the STATE.
- 11.2.11.** Coin Calls: Payment by means of depositing coins will be required at many of the STATE's locations.
- 11.2.12.** Non-Coin Calls:
- 11.2.12.1.** At all non-inmate locations calling card, collect and third party billed payment options will be required on a zero plus (0+) dialed basis and using other access methods as may be required by law, e.g., 10XXX, 950 or toll-free (1-800, etc.) access methods. In all cases, acceptance of Regional Bell Operating Company calling cards will be required as a minimum.
- 11.2.12.2.** Payment by bank and T&E (Travel & Entertainment) cards may be required at some portion of the STATE's locations.
- 11.2.12.3.** The proposed equipment/services must provide a "bong" tone within seven (7) seconds of completion of 0+ dialing. If the user does not enter any additional numbers after the "bong" tone, the vendor must provide a live operator who will then answer or a voice prompt will instruct the user within ten (10) seconds of the "bong" tone at least 95% of the time.
- 11.2.12.4.** When a user dials a zero and does not enter any additional numbers (0- dialing), a live operator will answer within ten (10) seconds at least 95% of the time.
- 11.2.12.5.** When a user has received the bong tone and entered the digits of his or her calling card number, the call must be released to the network within ten (10) seconds at least 95% of the time.
- 11.2.13.** Other Operator Services: The awarded vendor will provide the full range of operator services to which the public has become accustomed, including caller assistance, refunds, and credits. The awarded vendor must, within ten (10) days of award, describe in detail how they handle incorrectly dialed calls and disputed billing charges and how eligibility for credits is determined.
- 11.2.14.** Enclosures
- 11.2.14.1.** All enclosures, booths, shelves, pedestals, or other mounting apparatus selected for installation must be approved by the facility manager.
- 11.2.14.2.** Use of Existing Enclosures: The enclosures now residing on State owned properties belong to current service providers. Should existing enclosures conform to the specifications and requirements of this ITB, the vendor may a) purchase or lease these enclosures from the present owner, or b) install new enclosures subject to approval of the facility manager.

- 11.2.14.3. Enclosure Types:** The vendor will offer a variety of enclosure types subject to the approval of the facility manager. In select locations (e.g. highways and other high traffic areas) enclosures must provide noise suppression. The following enclosure types must be offered as a minimum: Wall, Pedestal, Booth, Flush Mount, Trailer (mobile/temporary).
- 11.2.14.4. Adequate lighting** must be provided by the awarded vendor at locations where required by the facility manager. To meet this requirement, the vendor must make available enclosures that will provide lighting to easily permit the use of the proposed instrument and its related services. Where the requirement for adequate lighting is met by ambient natural or artificial light, the STATE may select appropriate enclosures that do not require artificial light.
- 11.2.15. Vandal Resistant Hardware:** All instruments proposed for use on State property must be vandal resistant with regard to the cash box, the coin return bucket, handset and cord, keypad (for coin instruments), casing and mountings/enclosures (for both coin and coinless instruments).
- 11.2.16. Fraud Resistant Systems:** Systems must detect and deter fraudulent calls. System will have, at a minimum, the following capabilities:
- 11.2.16.1.** The ability to detect credit cards and calling cards that are not accepted by the awarded vendor;
 - 11.2.16.2.** The ability to deter fraudulent international calling card calls;
 - 11.2.16.3.** The ability to prevent the use of and/or reject slugs;
 - 11.2.16.4.** For "instrument implemented" systems, the ability to protect against regenerated dial tone;
 - 11.2.16.5.** The ability to prevent collect and third party billed calls to the payphone line.
- 11.2.17. Environment:** All instruments, whether intended for indoor or outdoor use, must be capable of providing full service, 24 hours a day, 7 days a week in the STATE's environment regardless of temperature and humidity fluctuations.
- 11.2.18. Consumer Information:** Consumer information will be provided at each payphone as required by the Alabama Public Service Commission and as required by the FCC for an "aggregator" as defined in the Telephone Operator Consumer Improvement Services Act of 1990 and FCC rules related thereto including posting name, address and toll-free telephone number of the operator services provider.
- 11.2.19. User Instructions:** Instructions to the user will be posted at each telephone and will precisely describe the method for placing various types of calls.
- 11.2.20. Coin Acceptance:** The coin acceptance mechanism must accept U.S. nickels, dimes, and quarters.
- 11.2.21. Card Reader Mechanism:** The card reader mechanism for non-coin and/or universal telephones must be an "insert" or "swipe" type. It must permit the automatic reading of track 2 of the magnetic stripe and also permit the current or future acceptance of magnetic stripe calling cards.
- 11.2.22. Credit Card Acceptance:** Those pay telephones that permit credit card transactions must provide on-line authorization. Generally accepted bank and credit cards must be accepted. (ex. American Express, Visa, or MasterCard).

- 11.2.23.** Some state locations, such as State Parks, will require instruments that have data ports, so that users can access e-mail, download/upload files, etc.

11.3. Inmate Services

Due to the unique nature of correctional facilities, specific types of telephones and specialized services are required. The awarded vendor must provide a turn-key solution.

11.3.1. Instruments/Equipment:

The Department of Corrections requires higher standards for the security and durability of their equipment than other agencies. With limited exceptions, all telephone instruments for use at correctional facilities will be required to meet the following specifications at a minimum:

- (1) Be "Charge a Call" type with no coin receptacles or containers.
- (2) Be constructed of not less than 16 gauge steel.
- (3) Be constructed with no removable parts including ear and mouth pieces.
 - (a) Must have metallic tamper proof keypad
 - (b) Must have an armored cord
- (4) Must interface to an inmate monitoring system.

11.3.2. Required Features:

11.3.2.1. Web Access: Access to the system from any remote computer with internet access.

11.3.2.2. Alert Call Notification: System must be able to place an alert call (to an investigator's land line or cell phone) or page the investigator when a pre-specified type call takes place (for example: a certain number is called, a certain inmate places a call, etc.). The alert call must allow the investigator to listen in on the call live, without any notification to the original calling or called party.

11.3.2.3. Access to all facilities: Access to all facilities from any computer with proper security access.

11.3.2.4. Approved Call List: System must allow calls only to numbers on the inmate's approved call list (PAN).

11.3.2.5. Pre-paid platform: System must include a pre-paid plan that will allow inmate's families to pre-pay funds to cover inmate's future calls.

11.3.3. Inmate Calling Services

The Department of Corrections has implemented a secure system for inmates to make calls from Alabama Prison Facilities. Any system proposed in response to this ITB must provide the following comparable services as a minimum:

11.3.3.1. Dialing procedures required:

- 11.3.3.1.1. The inmate dials O+ area code + telephone number.
- 11.3.3.1.2. The automated operator says, "Please state your name." The inmate's name is then recorded.
- 11.3.3.1.3. The inmate must state his or her name clearly before the call is processed.
- 11.3.3.1.4. Once "Name" is stated, the system tells the inmate, "Your call is being processed."
- 11.3.3.1.5. Inmate holds for the call to be processed.
- 11.3.3.1.6. The called party is told "You have a collect call from an Alabama Prison Facility", the name of the facility, and plays back the inmate's recorded name. The announcement must include a rate quote for the called party, including rate per minute and any other fees and charges. The called party may at their option accept, decline, or be given a 1-800-XXX-XXXX telephone number to call.
- 11.3.3.1.7. If the called party accepts the call, it is then connected.
- 11.3.3.1.8. If the party called does not answer or declines the call, the automated operator states to the inmate the result of the call ("party is not at home", "party will not accept your call", etc.).
- 11.3.3.1.9. All Inmate calls must be directed through an automated operator. Absolutely no access to a "live" operator will be allowed.
- 11.3.3.1.10. The system must provide a recurring announcement at various intervals that states, "This call has been placed from an Alabama Prison facility", and states the name of the facility.
- 11.3.3.1.11. Inmate service will be restricted to O+ Station to Station Collect Only, no Person to Person will be allowed. This service will include local, intraLATA and interLATA collect calls. No other types of calls may be permitted for inmate service unless expressly exempted on a limited basis by institution through a separate memorandum of agreement issued to the vendor by the STATE. In these limited instances, the vendor will be required to provide local coin calling in addition to collect only calling. Awarded vendor must provide, within ten (10) days of award, detailed information on the system's ability to limit inmate calls to collect only and to the list of called numbers permitted to each inmate. No access to 800, 900, 10XXX, 950 or other numbers restricted by the Department of Corrections is permitted.
- 11.3.3.1.12. Inmate service will provide for flexible timing restriction. At a minimum, these timing restrictions must be able to limit calls from zero (0) to thirty (30) minutes, in five (5) minute increments. The institution will

have the option to have no timing restrictions if it chooses. The current time limit, as well as default time limit, is 15 minutes.

11.3.3.1.13. Inmate pay telephones will provide outgoing service only. No incoming service will be permitted to inmate telephones.

11.3.3.1.14. The STATE will bear no responsibility for fraudulent calls placed from any inmate facility nor will the STATE bear any responsibility for theft or vandalism of inmate telephones or related equipment. The STATE shall bear no costs associated with theft, fraud or vandalism, nor will any such costs be deducted from revenues on which commissions are due to the STATE.

11.3.3.1.15. Voice Prompts must be multi-lingual. Awarded vendor must describe, within ten (10) days of award how these multi-lingual prompts work and what languages are available. At a minimum, voice prompts must be available in English and Spanish.

11.3.4. Inmate Telephone Monitoring Device:

The monitoring system must provide for digital recording.

11.3.4.1. Capacity: The monitoring device must accommodate the number of inmate lines in each institution with expansion capability.

11.3.4.2. Visual Monitoring: The inmate monitoring device will permit the attendant to see the off-hook and on-hook status of each inmate telephone. The device must provide a display of the line being monitored.

11.3.4.3. Audible Monitoring: The inmate monitoring device will permit an attendant select any associated inmate telephone. The device will permit the attendant to listen to any conversation in progress at a selected telephone over the monitoring device's handset and/or speaker for an unlimited duration.

11.3.4.4. Call Disconnect: The inmate monitoring device will permit the attendant to disconnect any call in progress.

11.3.4.5. Undetected Supervision: The inmate monitoring device will allow the attendant access to the inmate call in progress without a change in the audible signal. The inmate and the called party will not be aware of when the attendant is present on the line.

11.3.4.6. Alarm: The monitoring device must provide an indication on the console to signal loss of power to the control equipment. If loss of power occurs during the inmate's use of the telephone, all inmate telephones will automatically be rendered inoperable.

11.3.4.7. Speaker: The console must have a hands-free speaker to allow the attendant to monitor a call. The audible transmission of the speaker must be of a quality to allow the attendant to clearly hear both calling and called party.

11.3.4.8. Cabling: The cable necessary to support this device must be provided by the vendor or if in place cabling is available and can be acquired or leased by the vendor from the incumbent service provider and meets the requirements of this system, it may be reused. This will be a site-specific decision made by the Department of Corrections.

11.3.5. Inmate Telephone Recording Requirements: The system(s) must provide, as a minimum, the following:

- 11.3.5.1. Recording of all voice channels
- 11.3.5.2. The ability for the central monitoring attendant to record both sides of a conversation on any inmate telephone line.
- 11.3.5.3. Secure access to the system through any computer with internet access without the use of VPN.
- 11.3.5.4. Storage on a hard drive for up to 90 days
- 11.3.5.5. Call Portability: The ability to transfer a recorded conversation to a CD or other media and to email messages in a secure wave format.
- 11.3.5.6. The transferred record must include the call record detail (time/date of call, PIN #, number called, duration of call, etc.)
- 11.3.5.7. All records from every site must be available online so that system wide investigations may be performed from a central location.
- 11.3.5.8. Search and Play: The system must allow administrators to search for calls completed and recorded during a specific period, calls placed at a specific inmate telephone, calls placed to a specific destination number or calls made by phones assigned to an inmate or group.

11.3.6. Prevention of Three-way Calling: The awarded vendor must describe, within ten (10) days of award, their ability to detect switch hook flashing and to prevent call forwarding and conferencing at the called party end. The STATE reserves the right to implement this feature at selected prison facilities as it deems necessary.

11.3.7. Centralized Database: The inmate telephone system must, as a minimum, provide the following features:

- 11.3.7.1. Cabling: The cable necessary to support this device must be provided by the vendor or if in place cabling is available and can be acquired or leased by the vendor from the incumbent service provider and meets the requirements of this system, it may be reused. This will be a site specific decision made by the Department of Corrections.
- 11.3.7.2. An inmate specific list of telephone numbers which the inmate is permitted to call, also known as a PAN. An unlocking feature, which permits STATE authorities at a particular institution to allow inmates access to restricted collect only service, must be provided.
- 11.3.7.3. A required inmate authorization code, also known as a PIN, unique to each inmate to be associated with each called telephone number list.
- 11.3.7.4. A user friendly, Windows-based, method to update and otherwise change the called number lists and authorization codes and other database information.
- 11.3.7.5. A system which prevents calls to numbers other than those on the permitted list and which requires the input of the inmate authorization code.
- 11.3.7.6. A toll-free communications line/link to each institution.
- 11.3.7.7. Awarded vendor must provide, within ten (10) days of award, provide

documentation of the vendor's plan to build, update and access the centralized database. To facilitate the process, each institution will appoint a "facility manager" to work with the awarded vendor and to provide the required inmate information for the vendor to load into the database. The vendor will be responsible for loading all information into the centralized database and for insuring that no loss of information occurs during cutover.

- 11.3.7.8. Each "facility manager" will work as a part of the STATE's implementation team during the installation and acceptance phases of the project.
- 11.3.7.9. The awarded vendor must provide, within ten (10) days of award, a system administration and management plan. The plan must include the post-service conversion administration and management process. The STATE requires the ability to manage this function at the facility level. This description must include as a minimum:

- 11.3.7.9.1. Assigning personal authorization codes to each inmate.
Corrections will supply these numbers
- 11.3.7.9.2. Creating the permissible call list for each inmate.
- 11.3.7.9.3. Changing entries in the inmate calling database.
- 11.3.7.9.4. Blocking calls to a specific telephone number on all
telephones even though it is permitted on inmate calling lists.
- 11.3.7.9.5. Changing passwords and other security features.
- 11.3.7.9.6. Providing routine, recurring reports on inmate calling
including frequency, data time, duration and number.
- 11.3.7.9.7. The Department of Corrections prefers to manage all of the functions
listed above via the centralized inmate database.
- 11.3.7.9.8. Timing Restrictions must be programmable for a particular
inmate by associating the restriction with that inmate's
authorization number in the database.
- 11.3.7.9.9. It is mandatory that each institution have the ability to
determine the period of the day during which inmate calling will
be allowed, and to enable the inmate telephone service only
during those hours. This ability is also required for
specific areas within an institution.
- 11.3.7.9.10. Inmate telephone systems must be able to block telephone
numbers from being called within 24 hours of notice.

11.3.8. Report / Information Requirements: Vendor's inmate calling system must permit the following reporting at a minimum:

- 11.3.8.1.1. Provision of reports on paper, CD and online
- 11.3.8.1.2. Online call detail info and reports to include: Date and time of call origination; date and time of call termination; number dialed, stations number of originating call; duration of call in minutes and seconds; method of call termination, cost of call,.
- 11.3.8.1.3. Ability to search for calls (real time and historically) using the following criteria:

- 11.3.8.1.3.1. Calls from a specified inmate phone
- 11.3.8.1.3.2. Calls to a specified destination number
- 11.3.8.1.3.3. Calls from a group of inmate phones
- 11.3.8.1.3.4. Calls of a certain type
- 11.3.8.1.3.5. Calls with recorded conversations
- 11.3.8.1.3.6. Calls with keywords found in recording conversations
- 11.3.8.1.3.7. Calls of a specified duration
- 11.3.8.1.3.8. Calls for a specified inmate PIN
- 11.3.8.1.3.9. Completed calls
- 11.3.8.1.3.10. Incomplete calls
- 11.3.8.1.3.11. Locked calls
- 11.3.8.1.4. Ability to create a monthly report of calls by inmate.
- 11.3.8.1.5. Ability to create a report of calls on a routine monthly basis. This report must identify the inmate code placing said calls.

11.3.9. System Requirements: The inmate telephone system must provide the following:

- 11.3.9.1. One Telecommunications Device for the Deaf (TDD), at a minimum, will be required at each correctional institution, as well at each correctional facility such as work releases, community work centers, pre-releases and the Cattle Ranch. The number of TDDs provided will conform to the requirements of the Americans with Disabilities Act (ADA) Guidelines for Buildings and Facilities but will never amount to less than 1 TDD per institution. There will be designated locations in each institution, but that location will vary from institution to institution. The STATE prefers the plug-in type TDD. The devices in the institutions must be able to be recorded and monitored.
- 11.3.9.2. Inmate telephone systems must be properly protected from power surges and fluctuations in electrical voltage and current. The STATE will bear no responsibility for damage to a vendor's equipment from power surges and fluctuations.
- 11.3.9.3. A P.01 grade of service is required for inmate service and all of its components.
- 11.3.9.4. Vendor must provide each facility with a "kill" switch which renders all telephones inoperable immediately after activating the switch. Facility manager will dictate placement of this switch.
- 11.3.10. **Billing Procedures:** The vendor must describe billing procedures, within ten (10) days of award, including rates, fees and charges to the called parties. All fees charged from inmate and non-inmate phones must be identified. The vendor must also describe the procedure, and timing, of the commission reimbursements to the STATE.

12. Bid Evaluation Methodology:

12.1. NO WARRANTY, EXPRESSED OR IMPLIED, is made by the STATE that any contract resulting from this ITB will include an equal or greater number of pay telephones, revenue, or minutes of usage, as identified in ATTACHMENT A, ATTACHMENT B, ATTACHMENT C or elsewhere in this ITB.

12.2. Commission Evaluation Methodology:

This section is designed for the financial evaluation of bids based on the commissions offered, once a vendor has met all technical and general requirements of this ITB.

The STATE will use the total calculated inmate commission on Line 1 **PLUS** the calculated public payphone commission on Line 2 to determine which vendor is offering the highest commission to the STATE.

1. Line 1 amount is calculated by multiplying the bidder's bid per diem rate times 25,668 times 365 (the number of days in a year).
2. Line 2 amount is calculated by multiplying the bidder's bid percentage rate times \$120,000.00.

Example:

Bidder XYZ's Inmate per diem bid: \$1.075

Bidder XYZ's Public Payphone Percentage bid: 60.125 %

Calculation:

Line 1 $\$1.075 \times 25668 \times 365 = \$10,071,481.50$

Line 2 $.60125 \times 120000 = \$72,150.00$

Bidder XYZ's Bid Evaluation Amount = \$10,143,631.50

13.

14. Evaluation

14.1. Administrative and Technical Requirements

Bids must satisfy all mandatory administrative and technical requirements as specified in this ITB.

14.2. Reference List Evaluation

All customers on the required customer reference list may be contacted at the STATE's discretion. The customers contacted must respond that the service provided by the vendor was considered to be satisfactory in order for the vendor to be successful in this part of the bid. A response that the vendor's service has been unsatisfactory, even from one customer, may be cause for rejection of the bid depending upon the significance of unsatisfactory item and dependent on the STATE's analysis of the validity of the unsatisfactory response.

14.3. Commissions

The vendor whose bid has met all mandatory administrative and technical requirements and has offered the highest commission to the STATE will be awarded the contract.