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DEPARTMENT OF CRIMINAL JUSTICE SERVICES

SABIS BIDDERS CONFERENCE

DCJS
80 Wolf Road
4th Floor Conference Room
Albany, New York

Tuesday, July 1, 2008
10:00 a.m. - 12:00 p.m.

DIVISION OF CRIMINAL JUSTICE SERVICES PANEL:
John McGrath, Senior Attorney
Anne Roest, Deputy Commissioner
Daniel Foro, Deputy Commissioner

REPORTED BY:
Brenda J. O'Connor-Marello, CSR

1 MR. McGRATH: Good morning. Everybody
2 hear me okay in the back? Nelson, do I sound loud
3 enough back there?

4 My name is John McGrath, and I'm from the
5 Division of Criminal Justice Services, Office of
6 Legal Services. I'm the senior attorney for
7 contracts and procurement for DCJS. And I'm here
8 representing Deputy Commissioner General Counsel
9 Mary Kavaney, who can't be with us today. She's
10 on special assignment for our division.

11 I'd like to welcome you to Albany, to
12 Wolf Road. Everybody looks like their
13 accommodations were okay. I know parking's tight,
14 but I'm glad you're all here. We really
15 appreciate your coming. Welcome to SABIS Bidders
16 Conference, which is the fourth event that was
17 identified in the front page calendar of the RFP.
18 And we're going to remind you of a few dates in
19 the RFP as we proceed this morning because those
20 are important dates. We don't want you to miss
21 the dates as they go by. So on behalf of our
22 Commissioner Denise O'Donnell, commissioner of the
23 Division of Criminal Justice, welcome to the SABIS
24 Bidders Conference.

25 What we have planned today, many of you

1 know that we floated an evaluation draft, and we
2 put that on the web site, the DCJS public web site
3 with the SABIS procurement page. And a lot of you
4 took the time to read that. We're very
5 appreciative. And you responded to our RFP with
6 some very good suggestions. So we have a number
7 of questions, yours, that we're going to release
8 to you today. We actually have printed copies of
9 them. A little bit later in the presentation,
10 we'll hand you out printed copies. And those 50
11 or 51 questions and answers will also be posted to
12 the SABIS web site.

13 Now, how do you get to the SABIS web
14 site? Well, the SABIS web site is the same
15 location where you downloaded the RFP. So it's
16 www.criminaljustice.state.ny.us, and then slash
17 SABIS. So if that's unclear, ask me, I can repeat
18 it. Everybody know that URL or everybody okay
19 with that web site address? So at some point
20 today, we will have the 50 questions by, say,
21 today. It could be tomorrow morning depending on
22 our web master's work load, but at some point in
23 time, we'll have these 50 questions, 51 questions
24 posted to the web site. And these are your
25 questions. Many of them you'll see answers to.

1 We're not going to read all 51 questions
2 today even though we're handing out the printed
3 version of them, but we're going to hit the high
4 points of those questions. And you're going to
5 hear from Anne Roest, who is on my right. Anne is
6 our Deputy Commissioner for Justice Information
7 Systems. And she will address some of the
8 questions. I will address some of the questions.
9 And then what we plan on doing is opening the
10 floor for questions, taking questions from the
11 floor. So that should be how this meeting goes.
12 We've allocated two hours for it this morning.

13 So before I get to Anne, I'd like to
14 drive home a couple of points. Being a lawyer,
15 you know, lawyers are always necessary evils I
16 guess in part of any procurement. And I'm seeing
17 some smiles out there, so I know that's true. But
18 I want to tell you a couple of things, that these
19 are in the front pages of the RFP.

20 This is a state agency. Division of
21 Criminal Justice Services is a state agency. So
22 because we're a state agency, we're bound by the
23 provisions of the State Finance Law. The State
24 Finance Law says that we have to notify Offerers
25 and bidders, you all, the requirements that the

1 State Finance Law and the Agency has for
2 communication with DCJS during what's called "the
3 restricted period." When the agency let's out
4 notice that there is a procurement in process, as
5 we did when we released the evaluation draft of
6 the RFP, that starts a period in the law called "a
7 restricted period." And it's designed to prevent
8 communication with anyone within DCJS other than
9 the identified contacts. The law requires that
10 DCJS identify a procurement contact and a
11 solicitation contact. And we have done so. And
12 these instructions are on the front of the RFP and
13 they're in the first few pages of the RFP.

14 And for this procurement, we have denoted
15 that the questions are to come to us by e-mail.
16 And that e-mail address, it's in the RFP, and I'll
17 say it's now: It's
18 procurement.officer@dcjs.state.ny.us.
19 Procurement.officer@dcjs.state.ny.us. Does
20 anybody need a repeat of that one? Now, it's very
21 important that any communication whatsoever for
22 this procurement be e-mailed to that address.

23 Besides allowing to us comply with the
24 provisions of the State Finance Law, it builds
25 what we call a procurement record. A procurement

1 record, when this bid is awarded, DCJS, when it
2 makes a notice of award, has to package the
3 procurement record and the contract and a number
4 of other documents and send them down to the state
5 Comptroller's office. So by using that mailbox,
6 that e-mail box, we have a complete record.

7 Just as today, we have Brenda, the
8 stenographer over here, Brenda Marello, who is
9 making an electronic transcript of this proceeding
10 so that there will be, in addition to the
11 procurement record, there will be these questions
12 and answers of this proceeding that we're here
13 conducting today. So any questions that you ask
14 are in the procurement record. There's a
15 transcript being made. They're taken down.
16 They're going to be sent eventually to the state
17 Comptroller's office. And the provisions of the
18 RFP allow 15 minutes late. So we've got about
19 seven more minutes to go. And you just made it
20 under the wire.

21 Did everybody sign in? There's a sign-in
22 sheet here. Did you all sign in when you came in?
23 Okay. It's the lawyer in me that's coming out in
24 all this stuff.

25 So we have the single point of contact.

1 The restricted period continues now until the
2 Comptroller has approved the contract or, you
3 know, when the award becomes final. So I can't
4 emphasize to you enough that in the last three to
5 four years, New York State has made significant
6 changes in the State Finance Law, the procurement
7 law. So there's a great deal of emphasis on this
8 restricted period, on limiting contacts. And all
9 that's in the State Finance Law. All that's
10 republished for you in the first beginning
11 sections of the RFP. And it's very serious.

12 Office of General Services of New York
13 State is charged by law with keeping track of
14 violations of this restricted-period contacts.
15 And on the OGS web site, you will see that there
16 are vendors who are listed. If there are two
17 incidents in a four-year period, you can be
18 debarred from doing business with the state. This
19 is serious stuff. So, again, you can ask all you
20 want in terms of questions, but
21 procurementofficer@dcjs.state.ny.us. You know,
22 it's simple. Just shoot us an e-mail and you'll
23 get a response. That e-mail box is managed all
24 the time. We look at it. So any questions on the
25 restricted period?

1 I know I'm overemphasizing this, but I
2 can't do it enough. That means you can't pick up
3 the phone and call DCJS employees and go, hey,
4 how's that SABIS procurement going? No, you can't
5 do that. In fact, on the web site where you
6 downloaded the RFP, there's a red-colored set of
7 text there. It says under no circumstances is any
8 DCJS employee to be contacted about this
9 procurement. So, again, the worst thing in the
10 world I can see as an attorney is somebody that
11 perhaps violates the ban against communications
12 during the restricted period. Even if you do it,
13 you know, unwillingly, it causes nothing but
14 problems. So use the contact, the procurement
15 officer mailbox. And in the RFP is our summary.

16 So the other section that's in the RFP is
17 there is about three pages of the Public Officers
18 Law, Section 73, Section 74. And I strongly
19 suggest that you read that. And, in fact, the
20 State Finance Law, one of the things the
21 Comptroller looks for is that we have all offers
22 acknowledging that they have read that, the
23 provisions of the Public Officers Law. So there
24 it is in the RFP, and it has to do with ethical
25 conduct by officers and employees of the state.

1 And it makes fundamental sense, these provisions
2 of the Public Officers Law, but there it is.

3 So without further ado, I would like to
4 introduce at this time our Deputy Commissioner for
5 Justice Information Services. This is Deputy
6 Commissioner Anne Roest, who would like to begin
7 the proceedings this morning with a little bit of
8 discussion as to what this SABIS project is all
9 about and some of the things that Anne is looking
10 for in the procurement. So, Anne.

11 MS. ROEST: Good morning. I'm not as
12 loud as John, so raise your hand if you can't hear
13 me. I'm just going to speak at a high level about
14 some of the important factors in this RFP and to
15 give you some contacts for the RFP.

16 The Division of Criminal Justice
17 Services, our core business is receiving,
18 processing and identifying criminal, civil and
19 crime-scene fingerprints. We're New York State's
20 central repository for criminal history. This is
21 a really critical public safety operation that we
22 run, and we run it by 24, by seven, by 365.
23 That's important. It's got to be available to
24 meet the needs and expectations of our customers.
25 We need a highly available system. The purpose of

1 the RFP is to replace our current aging
2 fingerprint system with an automated biometric
3 identification system.

4 The success of this procurement and
5 implementation are crucial to us. This project is
6 a high priority for our Commissioner and for the
7 executives across the state. This project does
8 and will continue to have a lot of visibility.
9 More than that, it's crucial for the public safety
10 of New York State. This implementation can't
11 fail. Once we go live, we have to be available,
12 we have to be accurate, and we have to perform.

13 The RFP's been designed to solicit bids
14 which have a low risk, that means a low risk of
15 failure. The solution has to work. And we want a
16 vendor who will have a high probability of success
17 and implementation.

18 We expect the new SABIS will have better
19 matching, be faster, and reduce the need of human
20 intervention from our current solution.

21 As I mentioned, availability and
22 performance are extremely important, and to that
23 end, you'll see we're asking for an architecture
24 that has high availability built into it.

25 You'll also see that a large percentage

1 of the payment is tied to successful
2 implementation of the system. It's got to meet
3 the requirements, specification and standards that
4 result in contract of this bid specified. So a
5 point, take note, you have to be prepared to
6 deliver a system that meets the specification and
7 standards that you bid. That's important.

8 Also, time is of the essence. The
9 urgency of this implementation, as you'll see in
10 the RFP, is reinforced by the use of incentives
11 and penalties, financial incentives and penalties
12 that are tied to the timely completion of the
13 project.

14 I've got to point out a couple important
15 dates in the calendar:

16 The deadline for filing the notice of
17 intent to bid, as well as the deadline for
18 submitting your questions is July 3rd at 4:00 p.m.
19 Your bid proposals are due on August 15th at
20 4:00 p.m. Don't be late. Vendor presentations
21 will be scheduled in September. We'll be doing
22 site evaluations from late August through mid
23 October. And we anticipate an award in November.
24 We expect that the winning vendor will work with
25 us to expedite contract negotiations.

1 We don't intend at this time to review
2 any further specifics of the RFP. We believe that
3 the RFP stands on its own and accurately reflects
4 our requirements and is clear. So we're not going
5 to walk through any of the specifics of the RFP.
6 We ask that you refer to that document.

7 And with that, we're going to go over
8 some of the questions that you submitted in
9 anticipation of this conference. Thank you.

10 MR. McGRATH: Thank you, Anne. I'd like
11 to make one more introduction. Sitting to the
12 right of Anne is Dan Foro, deputy commissioner of
13 Operations. So just I neglected to do that
14 before. And I'm sorry, Dan. I didn't recognize
15 you this morning.

16 It is now -- there's one more minute
17 until 10:15. Provisions of the RFP require
18 mandatory attendance of the bidders conference.
19 So here's the first shakeout event. Those of you
20 who are here, you passed the first part. So
21 congratulation. Unless someone arrives in the
22 next 48 seconds, it's unlikely that there's going
23 to be any more of you. So we've narrowed the
24 field a little bit.

25 As Anne told you, this is a public safety

1 procurement; note those words. It's not just that
2 it sounds good to say we do fingerprints and this
3 is public safety. No. "Public safety," those
4 words have specific meaning in the law. If you
5 are not with your legal counsel this morning, you
6 can return and ask your legal counsel, but public
7 safety, even in the bankruptcy codes, but also in
8 the State of New York Law, public safety means
9 that there's a priority in the procurement. You
10 know, it puts a sense of urgency, it puts a lot of
11 power in an agency demand that it has to work. As
12 Anne told you, it's a very low risk. That means
13 that we can't afford risk. The public safety of
14 the state and, in some sense, the nation depends
15 on it. So that's the word "public safety" I'm
16 reinforcing here.

17 And as Anne told you, the legal term I
18 guess is *res ipsa*, you know, the thing speaks for
19 itself, the RFP speaks for itself. And it does.
20 However, we know that there are questions. And
21 there have been, as I said, 51 questions. And so
22 we are going to hand out -- what we're going to do
23 is we're going to do address some of these
24 questions. And then we're going to hand you out a
25 hard copy of the 51 questions and answers. Again,

1 they'll be available on the web site. So at some
2 point in time when I get use of my voice or we'll
3 take a short break, and at that point in time,
4 we'll hand out the hard copies of the questions,
5 but if I handed them out now, you'd all be reading
6 the hard copy, the answers, and no one would be
7 paying attention to any of us up here. So, again,
8 I see some smiles, Brenda, for the record, and
9 that's okay.

10 So before I continue, any questions?

11 Everybody okay?

12 It is now closed. The sergeant at arms
13 will note that no more attendees will be
14 registered for the qualifications. So you're it.
15 Congratulations, you are past the barrier of
16 qualification.

17 And as Anne told you, July 3rd, which is
18 two days away, at 4:00, a little over two days to
19 file that mandatory notice of intent to bid. So
20 lots of dates occur on the RFP, the front page of
21 the RFP.

22 Question one -- sometimes state agencies
23 do things without necessarily thinking of the
24 down-term effects of our constituents. And you
25 are our vendors and offers, but you're also our

1 constituents. So Question 1 says: Is it possible
2 to get Microsoft Word version of the RFP?

3 We believe that that's driven by the need
4 to fill out a whole bunch of forms when you submit
5 your answers, you know, to DCJS as part of your
6 submissions. And so, you know, we went out and we
7 said -- we thought about it, and I believe we sent
8 an e-mail and said, no, you know, this is it to
9 the PDF on the web site. Well, we've had some
10 reconsideration of that process.

11 So at some point today or tomorrow
12 morning, depending on our web site setup, there
13 will be available for you on the SABIS web site,
14 everybody's okay with that URL, right, okay, on
15 the SABIS web site, besides the RFP, which you can
16 still download the questions and answers to these
17 questions will be there, and then also a file
18 of -- it's in Microsoft Word, but it will be --
19 we've scrubbed it, so all the reverse engineering
20 stuff won't work, but we've scrubbed out
21 everything and there will be the forms so that you
22 don't have to buy an old \$50 typewriter and, you
23 know, try to type in answers to the forms. So
24 hopefully that will make life easier for you. You
25 can go in, you know, and type in your submissions

1 in those forms. But caveat to that is that we're
2 going to be looking to make sure nothing gets
3 changed.

4 I've worked in more than one state
5 agency, and we're always hesitant to do this
6 because there's always that propensity for someone
7 to change the form. So the message here is don't.
8 Okay? If the form comes in and it's materially
9 different, it's a disqualification, and it will
10 say that on the web site. So make use of the
11 forms. They'll be there. You do need Microsoft
12 Word. This group of forms will probably be
13 available as a doc file. We experimented with a
14 rich text file, but that seems to be -- there's
15 too much complexity in the form. So it's a doc,
16 D-O-C. So Microsoft Word will do it, 2003 or
17 2007, whichever you have. That's the answer to
18 the first question.

19 And then again, after we're done with
20 whenever the award becomes final, we're going to
21 have a little break, if not before, and we'll take
22 questions from the floor.

23 Question 2 says: What are the estimated
24 numbers of eight image palm print records that
25 will be submitted per month and per year?

1 And the answer to that is: None at this
2 time. Okay. This will eventually equate to the
3 number of arrests and civil transactions.
4 Question 2. Again, this is all in material you're
5 being handed.

6 Question 3: The requirement for a SLOC,
7 standby letter of credit, indicates a value
8 equivalent to an aggregate amount of the contract
9 value. Could DCJS elaborate on what is included
10 in this aggregate value; which is RFP Section 5.10
11 and Appendix F. The SLOC, the standby letter of
12 credit.

13 And the answer is: Initially, the
14 aggregate value is the sum of the total fixed
15 price cost from Attachment 21 ("total proposed
16 cost of ownership for vendor's mandatory base
17 system for the initial ten-year contract period")
18 and total optional feature cost and total monthly
19 maintenance cost for all optional features from
20 Attachment 23, or ("the detailed optional features
21 price list"). So it's Attachment 21, Attachment
22 23.

23 And, again, you can see why we're going
24 to hand -- these are available questions and
25 answers for download from the web site. We're

1 giving you hard copies of them because I'm not
2 sure you can write down 51 finely-detailed
3 references to the RFP, but some of these we want
4 to hit. And this is an important one because the
5 questions on the SLOC came up. So you're correct,
6 the SLOC says contract value, you know, value
7 equivalent to an aggregate amount of the contract
8 value. And so, therefore, focus on this question,
9 and its Attachment 21 and Attachment 23 for the
10 SLOC.

11 Next question that we would like to
12 highlight at this point in time is Question 11,
13 when you get the printout or you see from the web
14 site. Question 11 says: DCJS is planning the
15 procurement of a multi-million-dollar system that
16 it will use for a decade or more to provide
17 mission-critical identification services. Given
18 the size and importance of this investment, we
19 strongly recommend that DCJS perform benchmark
20 tests on vendor systems. Without a benchmark,
21 DCJS will have no reliable, objective way to
22 determine which vendor's system will most improve
23 the efficiency and accuracy of DCJS's
24 identification operations, and no way to confirm
25 that a particular ABIS meets the throughput and

1 performance requirements with the proposed
2 algorithms and architecture. While the planned
3 site visits are a logical step, there is no
4 adequate substitute for controlled benchmark tests
5 to thoroughly assess a system's accuracy and speed
6 and confirm vendor claims regarding their proposed
7 SABIS solutions.

8 Answer: DCJS requirements for accuracy
9 and throughput will be enforced by withholding
10 payments until the prime contractor's proposed
11 accuracy and throughput rates have been validated.
12 Additionally, the accuracy and throughput rates
13 will be continually evaluated throughout the term
14 of the contract and any extensions and, if the
15 rates fall below the contractual values, the prime
16 contractor will be held accountable per the terms
17 of the contract per Section 5.57 of the RFP.

18 Again, you'll have this in writing if you
19 missed that reference.

20 The next two questions that we want to
21 highlight, Questions 12 and 13. When you get the
22 hard copy, if you want to follow. I'm going to
23 ask Anne to answer.

24 Question 12 is as follows: In the stated
25 purpose of the RFP, the DCJS requests a new SABIS

1 using COTS products and services. We agree with
2 that statement, as a COTS product would reduce the
3 program risks and give the state the highest
4 return on investment. However, each ABIS vendor
5 has their own COTS product which may not function
6 exactly as described in the RFP requirements, but
7 can still meet the intended purpose of the
8 requirements. Since every requirement in the RFP
9 is mandatory and vendors cannot take any
10 exceptions or offer alternatives, the incumbent
11 vendor is given a significant advantage as they
12 can deliver the solution you have specified with
13 little or no customization. If forced to adhere
14 to the mandatory requirements without the option
15 of taking exceptions or offering proven
16 alternative COTS solutions, other vendors will be
17 forced to make costly customizations to their COTS
18 products. For this vendor, such customizations
19 will not improve our COTS ABIS product, but will
20 potentially increase risks and costs to the state.
21 So Anne.

22 MS. ROEST: The requirements in the RFP
23 were developed to specify functions that are
24 imperative to the agency without prescribing how
25 to perform those functions. Our intention was to

1 ask for what we needed, not how we needed it. We
2 aren't aware of any requirements in this RFP that
3 increase the risk or cost to the state. And if
4 there are examples, we'd like you to submit them
5 to us for our consideration.

6 MR. McGRATH: Very good. I have question
7 13, which is also for Anne. We have one, two,
8 three, four -- about six more to go after that.
9 And then at that point in time, I'm going to hand
10 you the hard copies of this and we'll take a short
11 pause, and then open the floor for you to ask us.

12 Question number 13: The requirement that
13 the offerer provide customer references for
14 systems that utilize the same generation of COTS
15 software, user interface and work flow as the
16 offerer proposes in their response to this RFP is
17 inconsistent with the statement that DCJS is
18 seeking a new ABIS equipped with the latest,
19 proven algorithms, hardware and software using
20 COTS products. No two installations are exactly
21 alike, as there are minor differences from
22 installation to installation, and it is impossible
23 for a vendor to propose an ABIS solution which
24 precisely matches each of its prior major
25 installations.

1 Additionally, there are no standards for
2 ABIS version configuration control regarding
3 coding, searching, matching, and architecture
4 nomenclature.

5 Therefore, a vendor could propose a
6 software version consisting of coding, searching,
7 and matching algorithms that are the same as that
8 used by a referenced customer. However, that
9 customer's version number could be an earlier
10 number than that of the proposed version for
11 SABIS. Therefore, the RFP should be revised to
12 instruct vendors to propose an ABIS solution based
13 upon proven COTS technology which represents the
14 most accurate and cost-effective solution that is
15 technologically available. And I'd like to turn
16 to Anne at this time.

17 MS. ROEST: We did get similar feedback
18 when we sent out an exposure draft, and we did
19 modify the language in the RFP specifying how one
20 would bid a proven solution. It is important to
21 us, however, that the solution is proven, that the
22 software has been installed and has been in
23 production in a site for I think it was 90 days,
24 90 consecutive days. So we are looking for a
25 proven solution. The wording in the RFP was

1 modified. We removed the version specification.
2 And I urge you to go back and reread that
3 requirement.

4 MR. McGRATH: Thank you very much, Anne.

5 Question 14 is the next one we'd like to
6 highlight this morning. And Question 14 says:
7 What is DCJS's vision for the agency's future
8 FastID needs; which is RFP Section 3.1.C.

9 And the answer is: While FastID is not a
10 term that is utilized by DCJS, we believe the
11 question refers to optional solution description
12 item A.13 and Attachment 15 - "A remotely
13 requested search and identification function..."
14 This item describes how DCJS would envision an
15 implementation for this type of future.

16 That was Question 14. And when you get
17 these in hard copy form, you can refer to it as
18 Question 14.

19 Question 25. Question 25 says: Could
20 DCJS be more specific regarding financial
21 reporting requirements; for example, the type of
22 information required in format?

23 And there again, we are developing an
24 answer to that, which brings me to another point
25 I'd like to make. That web site, the SABIS

1 procurement web site is something you should check
2 frequently, almost daily during the course of the
3 procurement, because there will be times -- you
4 know, you have deadline for submission of your
5 questions that comes up here. So, you know,
6 obviously we're going to probably get some more
7 questions. The deadline for submission of
8 questions is July 3rd as Anne told you at 4:00
9 p.m. So you wonder how are you going to get
10 response to those questions or how are you going
11 to get notices from DCJS of anything that's
12 material to this procurement.

13 The answer is we're going to -- A, we're
14 going to e-mail. We're going to do a e-mail
15 notification, but also important questions and
16 answers will be posted on that web site. So
17 please keep an eye on the web site.

18 So Question 25, we hear the question:
19 Could DCJS be more specific on financial reporting
20 requirements? So we're going -- we haven't
21 finished that response yet, but when we do,
22 there's a place you can get it, which is the
23 procurement -- SABIS procurement web site. And
24 everybody's clear on that URL, right? Okay.
25 Thank you very much.

1 Let's see. Next one. Question 39 says:
2 We recommend the new SABIS support latent palm
3 images of any reasonable size, including more than
4 one inch by one inch.

5 Answer: The RFP does not preclude any
6 approach to sizing of palm images. The RFP does
7 not preclude any approach to sizing of palm
8 images.

9 And the next two are for Anne Roest.

10 Question 40 says: We urge the DCJS to
11 remove all requirements that are specific or
12 unique to the Sagem paradigm so that the SABIS
13 procurement becomes a competitive procurement
14 based on performance rather than a particular
15 vendor's product; for example, the required use of
16 filtering and binning should be removed from the
17 RFP as current top-of-the-line ABISes can search
18 100 percent of the database while still adhering
19 to required response times and accuracy
20 requirements. The use of filtering and binning
21 reduces accuracy and should therefore be avoided.

22 And at this time, Anne, I'd like if you
23 could comment.

24 MS. ROEST: Again, the requirements were
25 developed to meet the requirements of DCJS

1 operations. And we made every attempt to present
2 those requirements without prescribing how they
3 would be performed. We didn't define any
4 requirements specific or unique to any vendor;
5 and, for example, filtering and binning as
6 mentioned in this question are not required, nor
7 precluded in the RFP.

8 MR. McGRATH: Thank you very much, Anne.
9 And Question 41 is also for Anne, the last
10 question for Anne this morning. It doesn't mean
11 that Anne hasn't answered all of the questions who
12 participated. These are the ones that we've
13 chosen to highlight for you. There's no
14 significance to that other than we didn't want to
15 necessarily read all 51 of these things.

16 Question 41 says: These requirements
17 seem to imply pattern matching for TP/TP matching.
18 We suggest that DCJS consider modifying these
19 requirements to allow for a non-pattern method of
20 TP/TP matching.

21 That TP means ten-print, correct? Thank
22 you.

23 Let me start again: These requirements
24 seem to imply pattern matching for
25 ten-print/ten-print matching. We suggest that

1 DCJS consider modifying these requirements to
2 allow for a non-pattern method of
3 ten-print/ten-print matching. For
4 ten-print/ten-print searches, would it be
5 acceptable to use advanced first-level matching
6 such as topological matching or shape managing?
7 Anne.

8 MS. ROEST: Okay. We're not requiring
9 the vendors to utilize patterns as part of the
10 technical search. We will be sending out further
11 clarification on this requirement. We're
12 working -- we're developing a further
13 clarification of that requirement, but we are not
14 requiring pattern matching as part of the initial
15 match, as part of the technical search.

16 MR. McGRATH: And then we have 41a. It
17 says: Computing technology has advanced
18 significantly and now allows automated processing
19 on a much larger scale than only a few years ago.
20 We believe that a more automated process not
21 requiring comparison of classifications, but
22 rather relying on automated technical searches
23 would reduce manual processing and limit the risk
24 of error. Would New York DCJS be receptive to an
25 alternative, more automated work-flow?

1 The requirements -- do you want to take
2 this, or should I?

3 MS. ROEST: Go ahead.

4 MR. McGRATH: The requirements for this
5 RFP were developed based on functions that are
6 imperative to DCJS operations. DCJS has made
7 every attempt to present these requirements
8 without prescribing how to implement them; rather,
9 DCJS is expecting offerer proposals of efficient,
10 cost-effective solutions to the requirements as
11 described in the RFP. DCJS welcomes alternative,
12 more automated solution submissions provided that
13 all of the DCJS mandatory requirements are met.

14 Question 42: This requirement seems to
15 imply an iterative searching under the direction
16 of CCH, no threshold on second search and
17 candidate list manipulation. Is this
18 interpretation of the RFP Section 5.8.D correct?
19 In other words, 5.8.D. seems to imply iterative
20 searching under the direction of CCH, no threshold
21 on second search and candidate list manipulation.
22 Is this interpretation correct?

23 Answer: Yes.

24 A. Within the phrase "After searching and
25 subsequent verification (if necessary) is

1 completed," we believe the parenthetical may be
2 misleading. For a search with no thresholding,
3 verification will always be necessary.

4 Answer: DCJS agrees. The parenthetical
5 "if necessary", in parens, should be ignored and
6 removed. So mark that in your questions when you
7 get them. In Question 42, note the removal of the
8 parenthetical.

9 Finally, the last one we would like to
10 read aloud here this morning, 51.

11 Question 51: In this item, DCJS has
12 reestablished 99.5 percent uptime as a minimum
13 contractual obligation. In parenthesis, (also see
14 Section 3.1.C.) The requirement implies that it
15 will be measured over a one-month period. DCJS
16 elaborates that downtime is equivalent to 0.5
17 percent (which equates to about 3.6 hours per
18 month) for any system component and includes
19 scheduled administrative downtime. DCJS also
20 discusses system availability as being able to
21 "fully process, identify, and respond to ten-print
22 and latent search requests." (See RFP Attachment
23 14, Item D.1.)

24 A. Does "system component" include any
25 physical personal computer or server?

1 B. We suggested that with the advent of
2 new technologies, there are more efficient
3 paradigms available than using component downtime
4 as a measure of overall system performance. Using
5 system component downtime as a measure is somewhat
6 arbitrary, complex, and prone to errors. Tracking
7 individual component downtime by itself represents
8 a significant effort and designing to this
9 standard is not cost-effective. Indeed, given
10 proper design, individual component downtime
11 becomes meaningless.

12 C. We suggest that DCJS consider
13 modifying this requirement to focus on the
14 system's ability to fully process, identify, and
15 respond to ten-print and latent search requests as
16 a measure of system availability and downtime.

17 The answer: Downtime will be measured
18 each month, and each month stands on its own.
19 Please refer to RFP Section 5.57 and the
20 definition of system downtime in the glossary.

21 So here you have questions that we have
22 highlighted for you. At this time, I want to pass
23 out the hard copy of these and also again remind
24 you these are on the -- they will be on the web
25 site later today, or if not later than tomorrow

1 morning. So we're going to hand out hard copies
2 and take a short five-minute pause or so for you
3 to review the hard copies. And remember, there
4 are DCJS personnel in the room. So procurement
5 lobbying law, restricted period. Questions have
6 to be e-mailed to procurement officer,
7 procurement.officer@dcjs.state.ny.us. If we can
8 get some help in passing those out. Thank you
9 very much.

10 We'll pass these out. And you can
11 read -- we'll give you a little bit of a break
12 here to read the high points, and then I will come
13 back and we will entertain some questions that you
14 may have from the floor. Again, thank you for
15 coming and thank you for responding to the
16 evaluation draft that we've floated.

17 (A brief recess was taken from 10:35 a.m.
18 until 10:44 a.m.)

19 MR. McGRATH: At this time now, the last
20 portion of this meeting, we'll entertain some
21 questions from the floor. Now, does this mean
22 that we're going to answer them all, you know,
23 stand up here and say things? I'm the attorney
24 for DCJS procurement, so I caution -- I spend most
25 of my life cautioning people to be careful, not

1 that they would do anything that we wouldn't want
2 them to say, but the caveat in your invitation to
3 this bidders conference is anything that's said
4 orally here is not approved by the agency until
5 it's reduced to writing and distributed. So we're
6 going to do our best. There are some things that
7 we may not have the immediate answers to, but
8 Brenda will take down your questions and duly note
9 them, and we will give you answers, fair answers.

10 So to help out Brenda, when you ask the
11 question, if you could, stand up. And if Brenda
12 wants it a little louder, it's for the purpose of
13 making sure we have an accurate record of the
14 question that's being asked here this morning.

15 And, again, thank you for coming. Public
16 safety procurement is very important to us. And
17 the next date you've got to worry about is
18 July 3rd, 4:00 p.m. That's the filing of the
19 mandatory notice of intent to bid. And your
20 deadline for submission of vendor's questions is
21 also July 3rd at 4:00 p.m. We have a deadline to
22 respond to your submitted questions on July 25th,
23 2008. And the bid proposals are due on
24 August 15th at 4:00 p.m. So, again, this calendar
25 has not changed. It's on the front of the RFP.

1 And, again, procurement questions,
2 procurement.officer sole designated contact. And
3 that will all work. And we will be very
4 responsive to you.

5 So check the web site. Again, these will
6 be on the web site. The downloadable forms will
7 be on the web site either late today or tomorrow.
8 And at this time, questions from the floor.
9 Anyone have a question, comment or question from
10 the floor? Don't all speak at once. Go ahead,
11 sir.

12 AUDIENCE MEMBER: George Mitchell from
13 Affiliated Computer Services, Inc. Are you going
14 to publish the attendance list for today's event?

15 MR. McGRATH: Yes, we are. The
16 attendance list is part of the procurement record
17 as are all questions asked today. So the
18 procurement record, again, has to go to the
19 Comptroller's office, office of the state
20 Comptroller. When the award is let by DCJS and
21 the contract is reviewed by the Comptroller and
22 the attorney general, both of those agencies for
23 approval, that goes down as part of the
24 procurement package.

25 AUDIENCE MEMBER: (George Mitchell) My

1 question was, are you going to publish it to us?
2 I could care less about the Comptroller.

3 MR. McGRATH: Yes. Publishing it to you
4 means publishing is to the world. Thank you,
5 George. Any more official questions? In the
6 back.

7 AUDIENCE MEMBER: Peter Bellinger from
8 SESC. Often when you develop a bid and work on
9 it, you find fine points that arises questions.
10 And I'm wondering if you could extend the July 3rd
11 date for questions.

12 MR. McGRATH: At this time, the answer to
13 that is we will take it under advisement. Thank
14 you, Peter.

15 Any additional? Okay. Additional going
16 once. Additional going twice. Okay. The bidders
17 conference is closed at 10:49 a.m. Thank you very
18 much. DCJS appreciates your input and looks
19 forward to questions you have. And further
20 additional questions of course to the procurement
21 officer mailbox. Thank you for your attendance.

22 (Whereupon, the proceedings concluded at
23 10:49 a.m.)

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CERTIFICATION

I, BRENDA J. O'CONNOR-MARELLO, a Certified
Shorthand Reporter and Notary Public in and for the
State of New York, do hereby certify that the
foregoing record taken by me at the time and place
noted in the heading hereof is a true and accurate
transcript of the same, to the best of my knowledge
and belief.

BRENDA J. O'CONNOR-MARELLO, C.S.R.

