

STATE OF NEW HAMPSHIRE

BUREAU OF PURCHASE AND PROPERTY
STATE HOUSE ANNEX
25 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6398

ADDENDUM # 3 TO RFB INVITATION # 1042-09

DATE OF BID OPENING: 1/2/09 TIME OF BID OPENING: 2:30 PM

FOR: Statewide Wireless Cellular Telephone and Wireless Cellular Data Services

CHANGE: QUESTIONS AND ANSWERS #2

QUESTION #1

Table 2A on page 35 of 58 Traditional Cellular Telephone, US Based Service. Please clarify: are you asking the cost of incoming or outgoing text messages? Or are you asking for the price of a text messaging package?

ANSWER #1

The listing is regarding the cost of originating a text message (outgoing) from a phone provided by the vendor. If incoming messages result in a cost, include that price in table 10.

QUESTION #2

Table 7 on page 51 of 58 ISP Access Data Service Costs. Interested in request for Rev B EVDO. Rev 0 Entry level, most carriers are Rev A advanced. Do you want carriers to propose Rev A?

ANSWER #2

Provide prices for services as defined in TIA-856 Rev B in Table 7. Provide any other offerings in Table 10 Balance of Product Line.

QUESTION #3

Please insert the following additional language in the Agreement, as Section 5.5 of Section 5.
Contract Price: Limitation on Price Payment.

5.5 NEITHER PARTY IS LIABLE FOR ANY INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES (INCLUDING, WITHOUT LIMITATION, LOST PROFITS OR LOST BUSINESS OPPORTUNITIES), PUNITIVE OR EXEMPLARY DAMAGES, OR ATTORNEYS' FEES.

ANSWER #3

See Addendum #4, Paragraph #3.

QUESTION #4

Can the State please provide Addendum's #1 and #2 that were issued on December 12, 2008 in WORD format, as the State's changes to various sections and Price Tables of the RFB would necessitate re-typing the applicable portions of the document?

ANSWER #4

Yes. Please e-mail a request to Bob Lawson

QUESTION #5

1.18 - Bid Content – All terms, conditions and related items as presented in this document as released will take precedence over changes provided in vendor proposals. Vendor requests the following language be added to this requirement: “...except when they are presented as part of a vendor’s exceptions and clarifications to the RFB requirements/terms and conditions.”

ANSWER #5

No, material exceptions or modifications to the terms and conditions will not be allowed after the vendor inquiry period.

QUESTION #6

Form P-37, Section 7, subsection 7.3. Does the sentence, 'In the event of any dispute concerning the interpretation of this Agreement, the Contracting Officer's decision shall be final.' refer to personnel disputes?

ANSWER #6

No, Contract disputes.

QUESTION #7

Form P-37, Section 8, subsection 8.1. Is there a materiality standard to this section 8.1?

ANSWER #7

Paragraph 8 does not have a materiality standard.

QUESTION #8

Form P-37, Sections 12 and 13. Will the State be providing an addendum deleting or editing Sections 12 and 13 as it did in the 2005 RFB?

ANSWER #8

Yes, See Addendum 4.

QUESTION #9

Verizon Wireless plans to submit its exceptions and clarifications to the RFB requirements with its final bid. If this is not acceptable to the State, please let us know as soon as possible.

ANSWER #9

All vendors are required to submit their requests for exceptions and clarifications during the vendor inquiry period. Any exceptions to the terms of the contract will cause the bid to be rejected.

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PURCHASING AGENT: **ROBERT LAWSON**
TEL. NO.: **603/271-3147**

NOTE: IN THE EVENT THAT YOUR BID INVITATION HAS BEEN SENT TO THIS OFFICE PRIOR TO RECEIVING THIS ADDENDUM, RETURN ADDENDUM WITHIN THE SPECIFIED TIME WITH ANY CHANGES YOU MAY WISH TO MAKE AND MARK ON THE REMITTANCE ENVELOPE BID INVITATION NUMBER AND OPENING DATE. RETURNED ADDENDA WILL SUPERSEDE PREVIOUSLY SUBMITTED BID.

BIDDER _____ ADDRESS _____

BY _____
(this document must be signed)

_____ TEL. NO. _____
(please type or print name)