



REQUEST FOR PROPOSAL

FINANCIAL INFORMATION SYSTEM FOR MOJAVE WATER AGENCY (PROJECT NO. 388)

SEPTEMBER 2008

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I. PURPOSE FOR REQUEST FOR PROPOSAL (RFP)

The purpose of this RFP is to identify a software solution to meet the Financial Information System needs of Mojave Water Agency hereinafter known as "Agency" or "MWA". The Financial Information System will hereinafter be known as the "System". The System will be technologically advanced. It will meet current and future financial management requirements.

The main focus of this RFP will be for a fund accounting system and subsidiary systems that can integrate with various individual systems currently in use throughout the Agency. In addition, the Agency desires a flexible system that can be customized to meet information needs from throughout the Agency.

The major focus on the final selection will be placed on the ability of the selected vendor to provide a flexible solution that can integrate with other systems in the Agency and contribute toward providing solutions that aid in meeting the objectives of the Agency, now and in the future. The system should at a minimum provide strong project accounting and tracking as well as flexibility to provide a water inventory system that meets the needs of the Agency, either directly or through sub-contractor. The prime contractor will be responsible for project management to ensure the successful implementation and integration, should a sub-contractor be used.

The Agency desires to have the selected vendor provide software installation, implementation, training and support. The selected vendor will have appropriate warranty and maintenance agreements for product performance and support and provide on-going annual maintenance renewal options.

II. GENERAL INFORMATION

A. About Mojave Water Agency

The Mojave Water Agency is a public agency that is one of twenty-eight State Water Project (SWP) contracting agencies and is governed by a seven (7) member elected Board of Directors.

The California State Legislature authorized the formation of the Mojave Water Agency in 1959 for the purpose of managing declining groundwater levels in the Mojave Basin Area, El Mirage Basin, and Lucerne Basin. The Legislature's act required the vote of the residents within the boundaries of the proposed Agency, which would finalize the creation of the Agency. With the vote of the people, MWA was formed on July 21, 1960. MWA was expanded by annexation in 1965 to include the Johnson Valley and Morongo Basin areas. Today, MWA covers an area of over 4,900 square miles.

MWA was formed to manage groundwater levels that have been in decline since the early 1950s. Today, overdraft has reduced groundwater stored in the region by nearly two million acre-feet. The enabling act authorizes MWA to do “any and every act necessary, so that sufficient water may be available for any present or future beneficial use of the lands and inhabitants within MWA's jurisdiction.” Clearly, MWA needed to find ways to assure a long-term, reliable water supply and where possible, reverse the overdraft of the groundwater basin.

The first step MWA took to reduce the water shortage within its jurisdiction was to become a SWP contractor, which entitled it to 50,800 acre-feet per year of water delivered via the California Aqueduct. Later, MWA purchased an additional 25,000 acre-feet of entitlement from Berrenda Mesa Water District to bring its total annual entitlement to 75,800 acre-feet.

For management purposes under the Mojave Basin Area Judgment, MWA split the Mojave River watershed and associated groundwater basins into five separate “subareas.” The subarea boundaries are based on hydrologic divisions defined in previous studies (DWR 1967), evolving over time based on a combination of hydrologic, geologic, engineering and political considerations. Also for the purposes of implementing the Judgment, the northern part of the Alto Subarea was defined as a sub-management unit – the Alto Transition Zone; this zone was created to acknowledge local geology and to better address the water flow from Alto to Centro.

To distribute the water to the points of need, MWA has taken a central role in designing and constructing the Morongo Basin and Mojave River pipelines, which extend from the California Aqueduct. The Morongo Basin Pipeline was completed in 1994 and deliveries began in 1995 to the Hi-Desert Water District. Water flowing through the pipeline is diverted to recharge ponds in an effort to reduce overdraft in the Warren Valley Basin. The MWA also financed and constructed the oversize of reach 1 of the Morongo Basin Pipeline to facilitate artificial recharge of the Alto Subarea along the Mojave River in the vicinity of Hesperia and Apple Valley. The Mojave River pipeline is being built in phases. Facilities have been constructed from the California Aqueduct to the vicinity of Barstow. The Hodge and Lenwood Recharge Sites, located west of Barstow, have also been constructed and received a total of 3,842 acre-feet of water during 1999-2000. The Daggett Recharge Site, east of Barstow, was completed in 2001. Investigations are underway to site additional recharge basins in the Baja Subarea.

MWA roles and responsibilities have expanded since 1960. Today, MWA is involved with educational programs, water rights administration, and data collection. Adjudication of water rights within the Mojave Basin Area is a major role of the Agency today. MWA also has gradually assembled the data necessary to better understand the dynamic interaction between surface water and groundwater flows in the basins, and in particular, the significant role that the geology in the area plays in the migration of groundwater from south to north. Teaming with the

United States Geological Survey (USGS), MWA has constructed monitoring wells to measure groundwater quality and water levels, run geophysical surveys to understand variations in subsurface geology, installed an auxiliary Lower Narrows low flow gage on the bank opposite the main gage, took over as USGS cooperator for some gages that the California Department of Water Resources (DWR) had funded until the early 1990's, and established weather stations to monitor rainfall and evaporation. MWA also assumed responsibility for assignment of local well numbers in cooperation with DWR.

B. Existing Financial System

The Agency's current financial management system is MAS 90 which runs on Windows Server based technology and HP Server hardware. This system was purchased 12 years ago.

Current Financial Software

Accounting Applications: GL, AP, AR, PO, PR, JC, FA

From a functional point of view, activities of the Agency's Finance Department are divided into eight (8) major categories identified by the following business processes.

1. Non-utility Accounts Receivable
2. Job Costing
3. Purchase Order
4. Accounts Payable
5. Payroll
6. General Ledger
7. Fixed Assets
8. Inventory

Although not directly related to Finance Department activities, Human Resources relate to data integration with payroll.

C. Key Volume Indicators

Description	Estimated Value	Description	Estimated Value
General Ledger		Purchase Order (currently a manual process)	
Number of separate entities	1	Mo. Avg. Xactions processed:	
Number of G/L Accounts		Purchase Orders	100
Number of G/L Departments		PO Line items	20
Mo. Avg. journal entries	30	Receipts	200
Accounts Receivable (non-utility billing)		Returns	10
Number of Customers	5	Matl req issued	250
Mo. Avg. Xactions processed:		Months of receipt history	
Invoices	2	Inventory (currently not done)	
Invoice line items	5	Number of IN finished goods	N/A
Credit memos	0	Number of Parts	N/A
Cash receipts	10	Number of IN Sales locations	N/A
Work Order Entry		Fixed Assets	
Mo. Avg. Xactions processed:		Number of assets	3,000
Work Orders	20	number of asset classes/groups	6
Work order line items	10	Mo. Avg. Xactions processed:	
Accounts Payable		Additions	5
Number of Vendors	2,000	Disposals	1
Vouchers, (invoices)	300	Utility Billing	
Monthly Credits	10	Number of customers	500
Monthly Checks	150	Mo. Avg. Xactions processed:	
Payroll		Invoices	3
Number of employees	33	Invoices line items	5
Number of payroll deductions	20	Cash receipts.	3
Number of pay periods / year	26		
		Number of Concurrent Users	15

III. FUNCTIONAL REQUIREMENT FOR SOFTWARE

A. Financial Management Information System

Attached are individual spreadsheets containing the functional and technical specifications for the new system. Please follow the instructions for replying to this section of the RFP.

B. Proposed System Goals and Objectives

The Agency wishes to improve its operating efficiencies, improve financial control, and benefit from the adaptation of automated data processing system standards available in today's technology for their business practices and functions today and in the future. The resulting system implementation will enable the Agency to operate more efficiently and re-direct current staff activities from processing to analysis. In addition, the final product should integrate various systems throughout the Agency. This section identifies the

new system goals and objectives. Attention should be paid when replying to this section of the RFP as to how the new system being proposed can address these goals and objectives.

AGENCY REQUIREMENTS:

- Productivity enhancements in financial reporting.
- The ability to offer enhanced business features and services.
- Financial data to be on-line, real-time and available to other Agency departments providing timely, comprehensive information.
- To maintain an open, standards-based solution that allows for increased ease of data access across applications and departments.
- Integrity of crucial data with little or no downtime.
- To take advantage of information technological gains that provides maximum on-line, dynamic information transaction processing speeds.
- A system designed to provide simple upgrades for future growth.

The selection and implementation of a new Financial Information System (FIS) will provide MWA with the opportunity to enhance all their current business processes and improve the efficiency of these processes. The opportunity to improve the current business processes is the primary reason for implementing a new FIS. The opportunities for improving MWA business processes and their efficiencies can be grouped into the four major classifications:

1. New and improved business functions
2. Productivity improvements
3. Integration improvements
4. New business opportunities/Succession Planning

Each of the opportunities are identified and defined in the following tables. **Table 1**—New and Improved Business Functions identifies the major business process improvements that should be provided by the new system. **Table 2**—Productivity Improvements identifies the functional improvements that will allow the MWA staff to make more efficient use the new FIS. **Table 3**—Integration Improvements identifies desired integration improvements that are needed to improve efficiency and eliminate the manual transfer of data. **Table 4**—New Business Opportunities identifies the need for a flexible system to allow MWA to address new business opportunities.

Table 1 – New and Improved Business Functions

Opportunity	Description of Opportunity
Billing System Integration	The MWA billing system must be integrated with the new FIS. It is anticipated that the MWA billing system will be a customized system in order to support the required calculations and different types of bills. The MWA billing system generates 2 types of bills. One is for the Watermaster which is billed annually plus 3 customers that are billed on a monthly basis for water use. In addition, the Watermaster bills annually to approximately 500 customers. These rates are based on a court order to bill for replacement and make-up water as well as fees to mitigate biological and administrative costs. The MWA bills the Watermaster annually based on the consumption reported by the Watermaster for these 500 customers. The billing system needs to provide the following capabilities: • Track water production and sales through the accounts receivable system • Generate different types of invoices such as recurring invoices, special one time invoices, and project invoices. • Track and access cash receipts detail • Calculate interest and penalties • Provide bill collection functions • Integrate with on-line access for customers • Automatically email overdue payment reminders • Attach all customer correspondence from Questys to account • Integrate with the Water Inventory system
Maintenance Tracking/ Capital Budgeting	It is the desire of the Agency to track maintenance of Agency infrastructure. The system should provide for remote field access to the maintenance program to input maintenance completed or to be done at a later date as well as pump history records. This system should provide the basis for future capital budgeting forecasting and should integrate with the GIS system.
Payroll and Human Resource Functions	The new FIS must provide integrated payroll and human resources functions. Automated timekeeping should also be integrated with the new FIS
Cost Center and Project Accounting	The new FIS must provide flexible cost center and project accounting capabilities with flexible data grouping and rollup capabilities. The Agency desires to have this system integrate with the Contract Management system as well as scheduling, such as the use of a Gantt chart.
Purchasing	The MWA currently tracks purchases manually. The new FIS must provide electronic PO authorization process with the ability to track electronic authorizations. The system must be able to produce reports to support audits for internal controls.
Vehicle Maintenance	The new FIS must integrate with systems to track vehicle maintenance costs and scheduled maintenance.

Table 1 – New and Improved Business Functions

Opportunity	Description of Opportunity
Water Management Inventory	The new FIS should provide the ability to track ground water inventory in various basins in the MWA service area that can integrate with the GIS system for website posting. This will include the ability to track water purchases, transfers and sales/replacement water, make-up water transfers, storage for outside water agencies, and calculate the cost of water based on FIFO. Currently tracking inventory with an Access data base, however cost information is not included. Integration with existing Access data base or conversion of information stored in the Access data base to a new inventory tracking system must occur.
Automated Water Meter Reading	The new system should provide a link to a future automated water meter reading system to automatically capture well production consumption. The automated water meter reading system will provide data to the FIS billing system and the Water Resources Management System (WRMS). In addition, the future water meter reading system could provide real-time data to allow MWA to provide real time management of water resources.
Contract Management	The FIS should provide MWA with the financial information required to manage the contract process for capital improvement projects.

Table 2 – Productivity Improvements

Opportunity	Description of Opportunity
Improved Report Generation	The new FIS should provide improved and easy to use report generation and publication capabilities. The system should allow the easy development of unique or custom reports. Report data should be easily imported into other applications, such as Excel.
Computer Generated Forms	The FIS should provide the capabilities to generate laser printed checks and other forms within the program and not as separate add-on module.
Improved Work Flow	The FIS should provide MWA with workflow support. MWA recognizes the need to modify some of its current workflows to make effective use of the new FIS, improve efficiencies and reduce or eliminate redundancies. However, MWA wants to be able to control the definition of workflows and not be forced to implement complex unnecessary workflows.
Improved Security	The new FIS must provide a good security system with the ability to control access down to the individual data field. The security system should provide easy management of user profiles that mediate system access. The security system should provide a complete auditing capability to track user activities.
On-line Help	The new FIS should provide an easy to use and comprehensive on-line help system available to all users of the system.

Table 3 – Integration Improvements	
Opportunity	Description of Opportunity
FIS Integration	The new FIS must provide an integrated system in which all of the major FIS functions such as accounts receivable, accounts payable, billing, purchasing, general ledger, payroll, budgeting, fixed assets, inventory, projects and human resources are dynamically integrated and use the same data. The system must use and share a common master file of vendors, employees, customers, commodities, and assets. The system must also provide a good audit system to track changes and system use.
Paperless System Operation	MWA currently stores documents electronically using Questys. The new FIS should integrate with Questys to allow for easy location and viewing of documents related to the FIS system, such as vendor invoices, journal entries, etc. It is the desire of the Agency to have intelligent scanning so that appropriate documents, such as incoming invoices, can be automatically input into the database structure.
Integration with Other Applications	The FIS must be capable of integrating with non-FIS applications like the GIS system, the document management system, as well as the ability for potential future integration, such as with an asset management system and computerized maintenance management system.
Bank Integration	The FIS must be compatible with the bank reporting and data transfer requirements.

Table 4 –Succession Planning	
Opportunity	Description of Opportunity
Integration and Accessibility	The FIS should be able to integrate with other non-FIS applications. The system should be accessible to Agency employees and allow cross-departmental use and input into the appropriate FIS applications that would maximize capturing knowledge and information currently being kept in off system applications, such as Excel and Access

Unique Business Processes

MWA has identified several major business processes that are unique to MWA and need special attention. The following describes these specific processes that MWA is seeking to improve:

Customer Billing System. MWA operates as a wholesale water company and as the court-appointed Watermaster for the High Desert. As Watermaster, the Agency is subject to a court ordered judgment in which the Agency is required to track water usage, well data, water supply availability, etc., not only by customer or well, but also by sub-area. The Mojave Basin Area Judgment assigned Base Annual Production (BAP) quotas to each producer using 10 acre-feet per year or more, based on historical production. Users are assigned a variable Free Production Allowance (FPA), which is normally a uniform percentage of BAP set for each subarea, however is subject to judicial review on an annual basis. This percentage is reduced, or “ramped-down” over

time until total FPA comes into balance with available supplies. Any water user that pumps more than their FPA is compelled to purchase replenishment water from MWA equal to the amount of production in excess of the FPA. The major billing categories for the replenishment water include:

- **Replacement billing** – Replacement bills are issued once each year for each producer within the judgment area that pump water out of the ground water system in excess of their Free Production Allowance (currently approximately 60 invoices annually, however this number may grow)
- **Makeup billing** – Makeup bills are issued annually and reflect a “surcharge” to customers within a certain sub-area where there is a deficit to the downstream sub-area(s).
- **Biological Assessment and Administrative Assessment** - Charged to all customers (500) on an annual basis based on actual production.

In addition to the judgment area, the Agency bills 3 customers on a monthly basis for water delivered outside the judgment area. Additional miscellaneous bills the Agency issues include, but is not limited to:

- **Contractual agreements** – These are billings for contractual agreements with other entities or agencies.
- **Redevelopment pass-through billing** – MWA receives payments from different cities on various schedules.
- **Reimbursable projects billing** – Billings for projects or portions of projects that are reimbursable from other entities.

In the current FIS implementation, the complexity of the billing process resulted in the MWA's FIS billing module not being fully implemented. The Agency developed an off-line billing system to accommodate its requirements. This off-line system incorporates a series of manual transactions to provide revenue and accounts receivable summary information to the current FIS.

The current system is inefficient, requires the manual transfer of data, and creates additional opportunities for error.

Accounts Receivables. As noted above, the MWA is doing much of its receivables accounting in an off-line system. This is a direct result of the billing system shortcomings. The Agency needs its receivables accounting to be fully integrated with its FIS. Both the billing function and posting of customer receipts to accounts receivable should be handled in a subsidiary ledger environment, so that the details can be accessed from the general ledger account level as required.

Water Inventory. As stated earlier, the Agency is subject to a court ordered judgment in which the Agency is required to track imported water and water usage, not only by customer or well, but also by sub-area. Currently, water inventory is tracked on an Access data base within the Watermaster department. Finance also tracks inventory on a spreadsheet based on water purchases and billed consumption. The water purchases

are recorded in the financials using the average cost of goods sold, however it is the desire of the Agency to convert to a first-in first-out system.

Currently, these two separate systems are reconciled against each other on an annual basis. These two systems should be integrated so that data integrity can be maintained and the elimination of redundant functions and reconciliation between those systems within the Agency can be eliminated.

Project Accounting. The new system should be able to track project costs by type of expenditure in order to allow project managers to better track their contract costs. Labor and overhead should be broken out or identified separately within or from the project reporting. It may be more appropriate to utilize a Work Order system so that work can be integrated with the GIS system and later tied to an asset management system. In addition, the new system should be able to provide a tracking of the project milestones and accomplishment (or not) of those milestones.

C. LAN Compatibility Requirement

The required LAN/WAN communication protocol for the application is TCP/IP.

On the client level, it is the intent of the Agency to use a PC LAN as the means of accessing the financial package. Any solution requiring the use of a 'Dumb Terminal' is not acceptable.

D. Administrative Information & Interface

See attached Technical Specifications Spreadsheet for information related to this section.

E. Server Platform Specification

The Agency requires that any financial software package proposed must run on the Microsoft Windows network operating system. The server hardware proposed in your response must be HP and pre-approved by Agency IT staff prior to submittal. Forms must be capable of utilizing all laser printers currently in place throughout the Agency.

F. Security

Describe the security features of the utility billing and financial software package. The Agency desires to control access to the application, module menus and module functions.

G. Customization

Should the software proposed be unable to satisfy all requirements with the standard "off-the-shelf" package, please describe the availability of custom modifications. Describe the procedures and options available to the Agency for such services.

IV. IMPLEMENTATION REQUIREMENTS

A. Implementation Plan

The vendor shall propose a time-phased implementation plan. Each task required is to be described and placed in a Table format. Submission of a Gantt or similar chart is encouraged. The plan will include all tasks from installation through training. Installation is scheduled to begin January 2, 2009, assuming contract execution is finalized. The Agency reserves the right to revise task dates.

B. Site Review

During contract negotiations, the selected vendor shall be required to specify to the Agency any on-site facility modifications needed including, but not limited to, acceptable environmental conditions for Server, work areas, storage areas, electrical power supply (receptacle types, locations, current loads and power conversions) and communication requirements.

C. System Installation, Testing & Reliability Acceptance

The vendor is to describe the procedures for system installation, testing and reliability acceptance. The Agency may, at its discretion, obtain outside consulting to validate the vendors testing procedures. The Agency will have the final determination as to whether the system passes the reliability acceptance tests.

D. Performance

The vendor is to describe the optimum transaction processing time expected during actual system use. Transaction processing time is defined to be the response time, on the average, from the time the user hits the "enter" key until the system brings back a response. Describe three procedures that can be tested during the acceptance phase of the system installation. The Agency reserves the right to request other performance procedures.

The Agency will have the final determination as to whether the actual transaction processing time is acceptable.

E. Data Conversion / File Structure

The Agency will require the vendor to provide data conversion from the current data file format into the format used with the vendor's application. Upon completion of the data conversion, the vendor shall provide all file layouts, data dictionaries and any other pertinent information relating to the database structure. The Agency anticipates converting all history currently on the MAS 90 system.

F. Documentation

The Agency requires an electronic copy of all system documentation and user manuals.

V. TRAINING REQUIREMENTS

A. Classroom Training

Describe the minimum and optimum recommended training for the Agency's employees on the daily functions of the system. The selected vendor will provide such training. Describe the training program, the training environment and a lump sum figure of all associated costs (including travel, if applicable) for both minimum and optimum recommended training. The vendor can expect a maximum of four Trainees per module training session.

The Agency will appoint an employee to provide Software System Administration functions. The selected vendor will provide such training. Describe the recommended system training and a lump sum figure of all associated costs (including travel, if such training cannot be combined with above). Describe the materials provided with such training.

B. Help Features

On-line help features are desirable. Please describe the features available within the software.

VI. WARRANTY AND MAINTENANCE

A. Warranty

The Agency desires warranty support of the selected financial package to ensure that both the software and the associated hardware selected shall be functional during the Agency's normal business hours.

Software

The software proposed is to carry a warranty against defects and that the remedy for such defects will be provided at the sole cost of the software manufacturer. If functionality requirements outlined within this RFP do not operate as specified, it is the sole responsibility of the vendor to correct those deficiencies.

The Agency desires that the software warranty be for three (3) years from the date of purchase. The initial response time for warranty calls shall be within eight (8) business hours from the time of the initial call. Resolution for warranty calls should generally be within seventy-two (72) hours of the initial call.

The vendor shall describe in detail the specific terms and conditions of the software standard warranty. If applicable, the vendor shall provide the price, terms and conditions required to meet the Agency's expectations.

Hardware

Any hardware platform specified as the financial package server shall carry a manufacturer's warranty of no less than three (3) years. This warranty shall be on-site for the entire warranty period and shall include a four (4) hours response time. Warranty service must be available locally.

The vendor shall describe in detail the specific terms and conditions of the hardware standard warranty. If applicable, the vendor shall provide the price, terms and conditions required to meet the Agency's expectations

B. Maintenance

Software

The Agency desires a software maintenance plan to ensure the financial package is maintained at the current version / revision level. The Agency desires pricing, terms and conditions for maintenance for three (3) years from the date of purchase. Identify the annual maintenance price and a discounted price (if available) for an up-front purchase of a three (3) year agreement.

Discuss your firm's ability to support the software operation. This should include information on the available resources in your organization capable of providing support as well as resources that would be necessary from outside your organization.

Hardware

This maintenance is differentiated from the hardware warranty and shall include non-warranty related support intended to ensure optimal performance of the financial system's server. Additionally, maintenance should cover the labor necessary to perform work necessitated by hardware failures. For instance, if a hard drive were to fail under warranty, the warranty would cover the hard drive and the labor necessary to physically install it back into the server. The Agency desires a service contract that also covers the labor cost to restore the hard drive data and return the server to operational status.

The Agency desires pricing, terms and conditions for a three (3) year period from the date of purchase. Identify the annual maintenance price and a discounted price (if available) for an up-front purchase of a three (3) year agreement.

C. Source Code Availability

The source code shall be available to the Agency. If the vendor does not provide source code with software purchase, the vendor shall place the source code in a third-party escrow and make it available to the Agency as stipulated in the contract. This source code shall be provided for each subsequent release of the software.

VII. ADMINISTRATIVE

A. Format for the RFP Response

Vendors are required to adhere to the following format for their proposal:

- Letter of Transmittal.
- Proposal Price Sheets with Total Price (attached as separate file).
- Executive Summary.
- Understanding of the system objectives.
- Response to the RFP requirements in the same sequence set forth in the RFP.
- Appendix.

B. Submission Date and Schedule of Events

- Five (5) copies of the complete Proposal plus one electronic version must be received by Mojave Water Agency no later than 12:00 p.m., Thursday, October 9, 2008.
- Address all proposals to: Mojave Water Agency, Request for Proposal/Financial Systems, 22450 Headquarters Drive, Apple Valley CA 92307

- No amendments, additions or alternations will be accepted after the above submission date and time.
- The top vendors will be selected to provide an on-site demonstration of software performance and functions to be held at the Agency headquarters located in Apple Valley. The demonstration will be attended by selected Agency employees. All costs associated with this demonstration (including travel expenses) will be borne by the vendor.
- If a selected vendor does not provide an on-site demonstration, the vendor will be disqualified and eliminated from the selection process.

Schedule of Events

Proposals Due	October 9, 2008
Vendor On Site Demonstrations	(Tentative) October 20-24, 2008
Software Selection	November - December, 2008
Contract Negotiation	November - December, 2008
Board of Directors Approval	December, 2008
Contract Execution	(Tentative) December-January, 2008
Begin System Installation	(Tentative) February, 2009
Begin Implementation	Contract negotiated item
Complete Implementation	Contract negotiated item
Begin Training	Contract negotiated item

C. Client References

Vendors are required to list a minimum of five (5) client references, state what was done, clients name, address, contact and contact's phone number. A description of work performed by the vendor to other governmental agencies with similar functions would be helpful. Include the retention of clients (as a percent) for all clients that have purchased the software being proposed over the last twenty years. In other words, how many of your clients that have purchased the software being proposed over the last 20 years are still with that software (or an updated version)?

D. Vendor Information

Please provide the following information:

- Company size (sales, # employees)
- Company headquarters and branch offices
- Number of years in business
- Organization and staff
- Qualifications for this project
- Resumes of staff to provide installation, implementation & training services
- Number of installed base (system, modules)

Confidentiality

It is the responsibility of the respondents to this RFP to identify information in their proposals that they consider to be confidential under the California Public Records Act. To the extent that the Agency agrees with that designation, such information will be held in strict confidence. All other information will be considered public.

In the event any information is considered confidential pursuant to the foregoing and any person makes a request for disclosure of such information, the Agency shall notify the bidder submitting such information that a request has been made. Unless the bidder immediately agrees to assume the defense of such request and pay all costs associated therewith (including any attorney's fees which might be awarded to the prevailing party), The Agency shall have no further obligation to the bidder to retain the information as confidential. Further, the bidder shall expressly agree to indemnify the Agency against any such costs resulting from the non-disclosure of the information.

E. Legal & Insurance Requirements

- **Assignment or Transfer of Contract** - The vendor shall not assign, transfer, convey or otherwise dispose of his contract, or his rights, title or interest in or to the same without previous written consent of the Agency.
- **Indemnity** - The vendor must agree to indemnify, hold harmless and defend the Agency, from any and all liability or loss, resulting from any suits, claims or actions brought against the Agency, which results directly or indirectly from the wrongful or negligent actions of the vendor in the performance of the contract.
- **Insurance** - At the time of execution of the contract, the vendor will be required to show proof of liability insurance in an amount no less than one million dollars (\$1,000,000.00). The vendor will be required to show proof of Workers Compensation Insurance in compliance with the State of California insurance regulations for all vendor staff.
- **Compliance with Labor Laws** - The vendor will be required to comply with all existing State and Federal Labor Laws.
- **Use of Sub-Contractors** - The vendor will disclose the names and functions of all sub-contractors to be utilized during the project.
- **Payments** - A schedule of payments, with amounts or percentages to be held in security, will be determined based upon the Implementation Schedule and agreed upon deliverables. This payment schedule will be included in the contract.
- **Proprietary Rights of Software** - Vendors will identify all software that is proprietary to the vendor, and the condition of usage by the Agency. All application software developed by the vendor and paid for by the Agency will be considered to be proprietary to the Agency.

THE AGENCY RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, WITHOUT QUALIFICATIONS. Proposals may be accepted partially, or in their entirety.

Contract award will be based upon the best software solution, the most qualified vendor, and overall product / service value. The Agency will solely determine these criteria.

All work, which is determined by the Agency to be deficient in any of the requirements of the specifications, shall be remedied by the vendor at the vendor's expense in a manner acceptable to the Agency.

F. Evaluation Criteria

- Ability of Software to meet the Agency's requirements
 - ✓ Performance
 - ✓ Availability of modules without Modifications
 - ✓ Customization required
- Vendor's ability to provide necessary services and on-going support
- Vendor's business background and client references
- Overall cost