



STATE OF TENNESSEE
Tennessee Public Utility Commission

**Invitation to Bid 31611-12764 – Telecommunication
Relay Services Questions and Comments**

DATE: 01/28/23

ITB 31611-12764 IS AMENDED AS FOLLOWS:

1. State responses to questions and comments in the table below amend and clarify this RFP.

Any restatement of RFP text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFP document.

QUESTION / COMMENT	STATE RESPONSE
Please reconfirm the due date for this procurement by providing it in response to answers to questions.	The due date for this procurement has been pushed to June 1, 2023.
What is the date by which you will answer these questions?	The date these will be released is unknown. Questions, comments, and the State's answers will be added to the event and available on the State's website.
Why has this bid been released at this time?	This is a re-procurement for telecommunication relay services.
Can you please provide greater details on how proposals will be evaluated and how the selected vendor(s) will be chosen?	Award will be provided considering lowest cost, agreeance to the State's terms and conditions, and ability to perform work detailed in the specifications.
Are bidders permitted to deviate in any way from any manner of quoting fees you may be expecting? For example, if there is a pricing page in the RFP, can bidders submit an alternate fee structure? If there is no pricing page in the RFP, do you have any preference for how bidders should quote fees or can bidders create their own pricing categories?	No, bidders are not allowed to deviate from the State's pricing structure. No, bidders must bid on this service by the line items provided on the event.
Please describe your level of satisfaction with your current or recent vendor(s) for the same purchasing activity, if applicable.	This is not relevant to the solicitation, as the award is only based on the lowest cost from a responsible and responsive respondent.
Has the current contract gone full term?	Yes.
Have all options to extend the current contract been exercised?	Yes.
Who is the incumbent, and how long has the incumbent been providing the requested services?	T-Mobile f/k/a Sprint and the contract was for five years.

To what extent will the location of the bidder's proposed location or headquarters have a bearing on any award?	Award will be provided considering lowest cost, agreeance to the State's terms and conditions, and ability to perform work detailed in the specifications.
How are fees currently being billed by any incumbent(s), by category, and at what rates?	\$2.92/Conversation minutes
What estimated or actual dollars were paid last year, last month, or last quarter to any incumbent(s)?	Some of this information is not readily available on such short notice. In the month of March, the contractor was paid \$5,142.85.
Is previous experience with any specific customer information systems, phone systems, or software required?	Awarded supplier must be able to meet the specifications detailed in the specifications document. The Contractor is required to provide the following features:(1)call release functionality; (2) speed dialing functionality; and (3) three-way calling functionality. ASCII and Baudot. TRS shall be capable of communicating with ASCII and Baudot format, at any speed generally in use. Please refer to the Specifications document for the full breadth of requirements the awarded contractor shall meet.
What is the minimum required total call capacity?	Please see item 5 below updating A.3.11.
What is the minimum simultaneous inbound call capacity?	There is no minimum.
What is the maximum hold time?	Five (5) minutes
What percentage of inbound calls must be answered by a live operator?	Please see TN Relay Specifications. A.3.9. The Contractor shall transmit conversations between TTY and voice callers in real time, CAs relay conversations between TTY and voice callers are performed in real time.
What percentage of calls must be resolved without a transfer, second call, or a return call?	Please see item 2 below.
What is the maximum percentage of calls that can be terminated by the caller without resolution?	Please see item 2 below.
Is there a minimum or maximum number of operators and supervisors?	Please see TN Relay Specifications A.6.8. The Contractor shall utilize historical calling volumes and trends to project the number of CAs required on any given day and at any given hour to ensure that CAs are available to respond to the projected calling volumes. Abandoned call counts are included in the calculations
What is the required degree of dedication for the call center? (Can call centers work on other contracts at the same time as this one)?	No, call centers used for the purposes of this contract shall not work on other contracts while working on this contract for TPUC.
What is the required degree of dedication for the operators? (Can operators work on other contracts at the same time as this one)?	No

Are callers required or allowed to connect with a message verification system or pre-recorded message before connecting to a live operator, or must a live operator be the initial contact?	Please see TN Relay Specifications A.5.6. as updated in Item 7 below.
What are the recording requirements for inbound and outbound phone calls and how long must recordings be maintained?	Please see TN Relay Specifications A.5.7 as updated in Item 7 below.
What are the recording and storage requirements for non-phone communications?	There is no minimum.
What was your average monthly call volume over the past year?	October 2022 through March 2023 Average call volume 2,423
What is the current number of seats for operators and supervisors at your existing call center?	TPUC does not have this information
What is the current average wait time for phone calls?	There is no wait time
What is the current average handle time for phone calls and other types of communications?	Inbound -54 seconds Outbound-15 seconds
What is the current average after-call work time for operators?	TPUC does not have this information.
Over the past year, what is the percentage of calls received in English versus non-English?	59% calls received in English versus non-English
Over the past year, what percentage of calls received were in Spanish?	41.06%-Spanish Speaking users
What time of day, days of the week, or times of the year do calls typically peak?	12 noon to 6 p.m.
Will the State please clarify if it is canceling its CapTel program?	No. The State is not cancelling it's CapTel program.
Will the State please provide an expected contract award date?	Award will be made after pricing negotiations have concluded; however, the new contract shall be in place by June 1, 2023.
Will the State please provide the current per minute rate it is paying for TRS?	\$2.92/Conversation minutes
Will the State please provide traffic data by month for the past two years, including the following: <ul style="list-style-type: none"> The number of TRS session and conversation minutes for Intrastate calls The number of TRS session and conversation minutes for Interstate calls Can this data be broken out to show Spanish and Speech to Speech usage? 	See attachment October 2022 through March 2023 to the specifications for information regarding your question.
ITB page 10, section 5.1 states that effective date of the contract is June 1, 2023. Will the State please confirm that it will provide a 60 day period for transition of the contract to a new provider? Transition of certain aspects of TRS from one provider to another is a complex process that takes up to 60 days to complete. The "Resporg",	TN Public Utility Commission ("TPUC") will comply with FCC rules taking into account thie 60 day transition rule by the FCC.

<p>or Responsible Organization process is the most critical step in a transition of traditional relay. Every toll-free telephone number has a Responsible Organization assigned to it. The relay access numbers are owned by the State. The current provider is the responsible party for those numbers. There are a series of steps that occur between multiple organizations in order to assign those access numbers from one provider to another and that typically takes up to 60 days to complete. Our technical team also programs those numbers in its relay switch.</p> <p>The transition of customer profiles also takes time to complete. FCC TRS Rules require a provider to transfer customer profile data to a new Relay Provider at least 60 days in advance of their last day of service. We will begin reviewing, interpreting, and loading customer profiles to its switch immediately upon receipt of them from the current provider.</p>	
<p>ITB page 26, section 8.9 – Performance Bond Will the State please provide a dollar amount for any required performance bond?</p> <p><i>“The performance bond shall be in an amount equal to one hundred percent (100%) of the Maximum Liability, Written Dollar Amount (\$Number).”</i></p>	<p>This number is unknown at this time considering pricing has not been provided yet. To calculate what your company’s performance bond would be, in the event your company is awarded the contract, your performance bond would be 100% of your pricing for the contract.</p>
<p>ITB page 1, section 1.3 requires respondents to list any comments objections, or any other matter requiring clarification or correction.</p> <p>We list the following that it objects, and takes exception to:</p> <ol style="list-style-type: none"> ITB page 14, section 7.12 – Nondiscrimination; ITB page 23, section 8.3 – Equal Opportunity; Appendix B – Terms and Conditions, section 3; <p>While we agree with the intent of these sections, our company provides Relay services in multiple states, Requiring a vendor to comply with the Equal Employment, Nondiscrimination and Affirmative Action requirements of all 50 states is not only unduly burdensome, in some cases it could even be contradictory. Because of the variation we see across state laws and administrative rules related to equal opportunity, we are unable to simply</p>	<p>The terms listed in your question are standard contract language in all State of Tennessee contracts. These terms will govern the agreement between the awarded contractor and the State of Tennessee. A respondent must agree to comply with these requirements.</p>

<p>agree that those laws and rules apply company-wide for every contract. This would create a logistic impossibility and attempting to implement changes to our employment policies for every state we contract with is just not feasible.</p> <p>At times, we must limit the scope of some state contracts to clarify that the agreement does not apply to all of our employees. We do not want to have a situation where Tennessee believes our company is in violation of these sections because of a clearly lawful employment policy we have in another state.</p> <p>Our company does agree to these sections as they pertain to all employees located in the state of Tennessee and employed under the contract.</p>	
<p>ITB page 24, section 8.5 – Federal Funding Accountability and Transparency Act (FFATA)</p> <p>Our company takes exception to this section as the contract resulting from this ITB will not be funded in whole or in part by federal funds that are subject to FFATA.</p>	<p>Section 8.5 – Federal Funding Accountability and Transparency Act (FFATA) has been removed from the Terms and Conditions.</p> <p>Please see item 11 below.</p>
<p>Will TPUC grant a two-week extension to the due date of May 17, 2023?</p>	<p>Yes, please refer to the response deadline in version 2 of the event.</p>
<p>Will TPUC grant a 3-month extension to the TN TRS existing contract to enable negotiation for a new contract?</p>	<p>The State will review the current contract and FCC regulations and make a determination as to what can be done with the current contract. That being said, contractual negotiations will not be entertained after award of contract.</p>
<p>Section 1 – Background Information</p> <p>1.1. This solicitation will result in a five (5) year contract with the Tennessee Public Utility Commission for Telecommunication Relay Services (TRS) to be established in Tennessee to provide access for the communicatively disabled to the intrastate telecommunications network.</p> <p>6.2. Price Changes. Prices identified in the Contract, whether derived from an awarded published catalog, price list, price schedule, or other mutually agreed upon source, shall remain firm for Three Hundred Sixty-Five (365) days ("Firm Price Period").</p>	<p>No, the State intends to award a 5 year contract.</p>

<p>a) Price Decreases. After the Firm Price Period, prices shall be equitably adjusted to reflect a decrease in Contractor's costs.</p> <p>b) Price Increases. After the Firm Price Period, Contractor may request price increases. The request shall: include independently verifiable documentation that supports Contractor's request for a price increase; not constitute an increase in Contractor profit; and reflect a price increase that is applicable to all of Contractor's customers.</p> <p>c) Approval of Price Changes. The State may at its sole option: (1) grant the Contractor's request; (2) cancel the Contract and award it to the next apparent best evaluated Respondent; (3) cancel the Contract and reissue the solicitation; or (4) deny the Contractor's request. If approved, any price changes of less than seven percent (7%) will become effective upon the State's approval in writing. Price changes exceeding seven percent (7%) shall require a Contract amendment. The Contractor shall honor all purchase orders dated prior to the approved price change. Upon request from the State, the Contractor shall furnish the approved catalog, price schedule or price list as applicable to the State at no charge.</p> <p>Due to lower call volume and new emerging technologies, will the TPUC consider a 1-year base with four 1-year extensions upon the mutual written agreement of the parties?</p>	
<p>CAs answering and placing a TTY-based TRS call must stay with the call for a minimum of ten minutes. CAs answering and placing an STS call must stay with the call for a minimum of before being replaced by another CA for the same call. When providing STS, CAs will facilitate the call of an STS user to the extent requested, while enabling the user to be independent and maintain control of the conversation.</p> <p>This requirement is missing the "20" minute timeframe for STS call takeover.</p>	<p>Please see item 5 below.</p>
<p>The CA shall inform the CTRS user of the non-CTRS user's tone of voice, in parentheses. These descriptions should include terms such as laughing or yelling, as well as background noise. Because the TPUC is separating the TRS and CTS bids for service, will the TPUC consider removing CTRS from the TRS ITB?</p>	<p>Please see item 5 below.</p>
<p>If a TRS user types an "S," the CA must recognize that this indicates a person with difficulty ty speaking.</p> <p>Will the TPUC consider removing this requirement? The STS and HCO call types have</p>	<p>TPUC has reviewed this request and has agreed to remove it from the Specifications. Please see item 5 below.</p>

<p>replaced “S” and today’s call type branding connects callers in their preferred communication mode. CAs have the ability to promptly change the call type when a caller types of HCO PLS or states STS PLS.</p>	
<p>CAs answering and placing an STS call must stay with the call for a minimum of fifteen (15) minutes, before being replaced by another CA for the same call.</p> <p>This should be 20 minutes.</p>	<p>Please see item 5 below.</p>
<p>The Contractor shall electronically capture recorded messages and retain them for the length of the call. The CTRS Provider may not impose any charges for additional charges, which must be made by the relay user in order to complete calls involving recorded or interactive messages. The Contractor shall provide, as TRS features, answering machine and voice mail retrieval.</p> <p>Will the TPUC consider restating the requirement to read, A.5.7 The Contractor shall electronically capture recorded messages and retain them for the length of the call. The TRS Provider may not impose any charges for additional calls, which must be made by the relay user in order to complete calls involving recorded or interactive messages. The Contractor shall provide, as TRS features, answering machine and voice mail retrieval.</p>	<p>Please see item 7 below.</p>

2. Delete Scope of Services Paragraph 2 in its entirety and replace it with the following (any sentence or paragraph containing revised or new text is highlighted):

The Contractor shall provide all service and deliverables as required, described, and detailed herein and shall meet all service and delivery timelines as specified by this Contract. **Contractor shall maintain a 85% percentage daily rate of calls resolved without transfer, second call, or return call and 10% of calls maximum percentage can be terminated by the caller without resolution**

3. Delete ITB Specification section A.1.9 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.1.9 Telephone Relay Service (**TRS**): operator service that allows people who are deaf, hard of hearing, deafblind, or have a speech disorder to place calls to standard telephone users via a keyboard or assistive device.

4. Delete ITB Specification section A.2.2. in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.2.2 The TRS system shall comply with the FCC's existing orders, standards, rules and regulations, including 47 C.F.R. § 64.601 et seq. The **TRS** Contractor and the **TRS** system also shall comply with the Commission's Rules and Regulations, particularly Section 2819.6, which addresses minimum service requirements.

5. Delete ITB Specification section A.3.11. in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.3.11 All communications made by or to a person with a communications disability is a privileged communication and is not subject to disclosure in any court proceeding or otherwise pursuant to T.C.A. § 24-10210

Each CA shall comply with the following guidelines for relaying communications:

- a. The CA shall identify himself or herself as a Communications Assistant (TRS operator) and provide his or her gender and identification number.
- b. The CA shall translate typed English to correct spoken English so that the non-TRS user can understand and converse with the caller.
- c. The CA shall inform the TRS user of the non-TRS user's tone of voice, in parentheses. These descriptions should include terms such as laughing or yelling, as well as background noise.
- d. The CA shall keep the end user informed of the progress of the call, using such terms as ringing, busy signal, put on hold, or disconnected.
- e. The CA shall honor the TRS user's option of telling the CA what aspects of the call the TRS user will handle.
- f. The CA shall communicate exactly what is said when the call is answered and during the conversation, unless either party specifically requests otherwise.
- g. When relay services need to be explained to a non-TRS user, the CA shall indicate to the TRS user that he or she is explaining the service.
- h. The CA shall use a conversational tone appropriate to the type of call made by the TRS user.
- i. The CA shall inform the TRS user if a different person becomes involved in the phone call. If a different CA becomes involved in the call, both end users shall be notified. The new CA shall give his/her gender and identification number. j If an end user makes subsequent calls after the initial one (to the relay center) and the called line is busy, the CA shall permit unlimited re-dial attempts.
- k. The CA shall verify the spelling of all proper nouns, addresses, and numbers that are spoken.
- l. The CA shall disconnect the outbound call when the inbound caller disconnects.
- m. The CA shall not counsel, advise, or interject personal opinions into a relay call. The CA shall not have a personal conversation with an individual using the relay service.
- n. Callers do not have to give their names or the names of the parties they are calling. The CA may request the name only if it will help to explain the relay service, and the CA must explain how this will help the call.
- o. CAs have the ability to promptly change the call type when a caller types HCO PLS or states STS PLS recognize that this indicates a person with difficulty ty speaking.
- p. If a TRS caller reaches an answering machine, the CA shall let the end user know and give the caller the option to leave a message or disconnect the call.

- q. CAs answering and placing a TTY based relay call must stay with s. the call for a minimum of ten (10) minutes before being replaced by another CA.
- r. CAs answering and placing an STS call must stay with the call for a minimum of **twenty (20)** minutes, before being replaced by another CA for the same call.
- s. CAs may deny completion of relay calls where credit authorization is denied or where a caller is extremely, abusive, harassing, and uncooperative with the CAs.

6. Delete ITB Specification section A.4.4. in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.4.4. The Contractor shall provide TRS and associated outreach services as specified in the ITB and contract. The TRS services shall be in full compliance with the requirements and intent of Title IV of the Americans with Disabilities Act of 1990, 47 U.S.C. § 225, and applicable Federal Communications Commission (FCC) regulations at 47 C.F.R. §§ 64.601 through 64.606. The proposal shall include a comprehensive description of how the Contractor proposes to provide **TRS** that meet each applicable requirement.

7. Delete ITB Specification sections A.5.6., A.5.7. and A.5.8. in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.5.6 CAs must alert the TRS user to the presence of a recorded message and interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's **TRS** equipment indicating that a recording or interactive menu has been encountered.

A.5.7 The Contractor shall electronically capture recorded messages and retain them for the length of the call. The **TRS** Provider may not impose any charges for additional **calls**, which must be made by the relay user in order to complete calls involving recorded or interactive messages. The Contractor shall provide, as TRS features, answering machine and voice mail retrieval.

A.5.8 Emergency call handling requirements for TRS providers must use a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to an appropriate Public Safety Answering Point (PSAP). An appropriate PSAP is either a PSAP that the caller would have reached if he had called 911 directly, or a PSAP that is capable of enabling the dispatch of emergency services to their caller in an expeditious manner. Automatic Numbering Identification (ANI)-The **TRS** Provider shall use ANI, unless it is not available from the Local Exchange Carrier. The applicant must follow TRA Rule 1220-4-2-.23. See TRA Rule in **Attachment A**.

8. Delete ITB Specification section A.6.7. in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.6.7 The Contractor shall ensure adequate **TRS** facility staffing to provide carriers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.

9. Delete ITB Specification section A.6.11. in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.6.11 No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to person with disabilities. TRS facilities are permitted to use SS7 technology or any other type of similar technology to enhance the functional equivalency and quality of TRS. TRS facilities that utilize SS7 technology shall be subject to the Calling Party Telephone Number rules set forth at 47 C.F.R. § 64.1600 *et seq*,

10. Delete ITB Specification section A.7.1. in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.7.1 When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 711, or the 10-digit number of the calling party.

11. Delete ITB Terms and Conditions section 8.5 and renumber any subsequent sections as necessary.

12. RFP Amendment Effective Date. The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.