

VII. PRICING PROPOSAL

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VII.1 INTRODUCTION

The Phoenix Program Proposed Solution shall include a series of projects, ongoing maintenance and operations (M&O) support, software, and hardware. The Bidder shall include all one-time and ongoing Phoenix Program costs in the Bidder's Proposal. Total Costs are required by the AOC for evaluation and budget purposes, while additional detail of costs is required for the AOC's understanding of the costs. Costs shall be based on the AOC's provided Master Services Agreement (MSA) terms and conditions and Mandatory Requirements of the RFP (not the Bidder's exceptions to the MSA). The Bidder is required to state all other assumptions upon which its pricing is being determined in RFP Appendix D, Cost Workbook, Form VII-10, Pricing Assumptions. Note that all other Proposal Assumptions are to be provided in Form 7.1, Bidder Proposal Assumptions, provided in RFP Appendix C, Bid Response Forms. Assumptions shall not conflict with MSA terms and conditions or Mandatory Requirements of this RFP.

The projects to be priced in the Bidder's Proposal include the following:

- Upgrade Project
- Optional New Functionality Projects
- Optional Existing Functionality Projects

Bidders are required to provide costs for all projects. However, the set of Optional New Functionality Projects is further split into Optional New Functionality Configuration Projects and Optional New Functionality Deployment Projects. Optional Existing Functionality Projects include Deployment Projects for each court that has not yet received the existing configured functionality.

Projects shall be firm-fixed price (FFP) with payments based on deliverables as proposed by the Bidder, while the ongoing M&O support payments shall be monthly (based on hours invoiced) for the number and type of Bidder M&O staff positions to be specified by the AOC throughout the Agreement period. The Bidder shall provide fixed Hourly Rates to the AOC for work to be performed during Phoenix projects separately from work to be performed during the contracted M&O Support period. In addition, these rates shall be available for the AOC to use for unanticipated tasks as necessary.

VII.2 COST WORKBOOK

In order to derive the Phoenix Program costs, the AOC has made a Cost Workbook available to Bidders. The Cost Workbook is in Excel format and can be found in RFP Appendix D, Cost Workbook. Bidders must provide responses for all components of the Phoenix Program costs, as required in the Cost Workbook.

The AOC requires flexibility to select execution of optional Phoenix projects including the timing and sequence of optional functionality configuration and timing and sequence of deployment to each court. As such, it is mandatory for the Bidder to provide Total Costs for all projects in a completed Cost Workbook using Scenario 1, Individual-Project Pricing. However, the AOC would benefit from understanding the Total Costs of the Phoenix Program using a second scenario where all projects are fully executed. Therefore, the Bidder shall also provide a second complete Cost Workbook using Scenario 2, Full-Execution Pricing. The Bidder shall distinguish

its two individual and complete Cost Workbooks by selecting the applicable Pricing Scenario in the fourth row of the Table of Contents (TOC) tab in the Cost Workbook:

- Scenario 1. Individual-Project Pricing
- Scenario 2. Full-Execution Pricing

Once selected, the Pricing Scenario will be automatically displayed in the fourth row of every Worksheet in the Cost Workbook. Similarly, the Bidder shall enter its Bidder Name in the third row of the TOC tab in the Cost Workbook for automatic display on all Worksheets.

The Cost Workbook includes eleven (11) pre-formatted Excel Worksheets, as outlined below:

1. Total Cost Summary Worksheet (Form VII-1) – This Worksheet provides a summary of total Phoenix Program costs. The content of this Worksheet is automatically populated with information from other Worksheets in the Cost Workbook.
2. Upgrade Project Costs Worksheet (Form VII-2) – This Worksheet provides the information for specification and pricing of all one-time Bidder-provided services associated with the Upgrade Project.
3. Optional New Functionality Projects Costs Worksheet (Forms VII-3a and VII-3b) – These two Worksheets provide the information for specification and pricing of all one-time Bidder-provided services associated with Optional New Functionality Projects. Form VII-3a provides pricing for Optional New Functionality Configuration Projects, while Form VII-3b provides pricing for Optional New Functionality Deployment Projects.
4. Optional Existing Functionality Projects Costs Worksheet (Form VII-4) – This Worksheet provides the information for specification and pricing of all one-time Bidder-provided services associated with the Optional Existing Functionality Deployment Projects.
5. M&O Support Costs Worksheet (Form VII-5) – This Worksheet provides the information for specification and pricing of all ongoing Bidder-provided services associated with the support of the Phoenix Program (this includes ongoing M&O support in Years 1 - 3 plus optional M&O support in Years 4 and 5).
6. Labor Rates Worksheet (Form VII-6) – This Worksheet provides the information for specification of Bidder Composite Rates and individual staff classification Hourly Rates for the Phoenix Program and potential change orders for unanticipated tasks during projects and to accommodate M&O support activities.
7. Software Costs Worksheet (Form VII-7) – This Worksheet provides the information for specification and pricing of all one-time and ongoing Bidder software costs.¹
8. Hardware Costs Worksheet (Form VII-8) – This Worksheet provides the information for specification and pricing of all one-time and ongoing hardware costs.²
9. Payment Schedule Worksheet (Form VII-9) – This Worksheet provides the information for details of the deliverables-based payment schedule to the Bidder through final acceptance by the AOC.

¹ The software cost proposed by a Bidder will be used to evaluate its Proposal. However, the AOC has the right to acquire the hardware either from the Contractor (based on its Proposal) or from other sources.

² The hardware cost proposed by a Bidder will be used to evaluate its Proposal. However, the AOC has the right to acquire the hardware either from the Contractor (based on its Proposal) or from other sources.

10. Bidder Assumptions Worksheet (Form VII-10) – This Worksheet provides the Bidder's assumptions upon which its pricing is being determined. Assumptions shall not conflict with MSA terms and conditions or Mandatory Requirements of this RFP.

In order to identify the Total Costs, various One-time and Ongoing Cost categories are included in the cost worksheets. Instructions for completing the cost worksheets are provided below.

VII.3 COST WORKSHEETS

Bidders are responsible for entering cost data in the format prescribed by the Cost Workbook. Formulas have been inserted in the appropriate cells of the worksheets to automatically calculate summary numbers, and typically should not be altered. Further instructions for entering cost data are included in the worksheets. It is the sole responsibility of the Bidder to ensure that all mathematical calculations are correct and that the Total Costs in Form VII-1, Total Cost Summary, reflect the Bid Amount for RFP 010708-NCRO.

Completion of the Cost Workbook and worksheets is mandatory. Applicable purchase, delivery, tax, services, safety, license, travel, per diem, Bidder's staff training, and any other expenses associated with the delivery and implementation of the proposed items must be included in the Bidder's firm-fixed price (FFP) and fixed Hourly Rates.

VII.3.1 Total Cost Summary Worksheet (Form VII-1)

The Total Cost Summary worksheet will calculate the total One-time and Ongoing Cost of all services and systems as proposed for the Phoenix Program, as well as annual M&O support costs through the three (3) plus two (2) optional years of the Agreement. The Total Costs shall be inclusive of all other the miscellaneous costs (i.e., overhead, profit, per diem, etc.). The bottom row of the Total Cost Summary Worksheet shall calculate the Total Costs by summing the values in the "Total" column. The Total Costs will be evaluated using the methodology defined in RFP Section IX, Proposal Evaluation.

VII.3.2 Upgrade Costs Worksheet (Form VII-2)

The Upgrade Costs Worksheet shall reflect all one-time services proposed for the Upgrade Project. This worksheet shall contain the Hours and Cost by Deliverable for providing the various services associated with delivering and implementing all the services and systems required for the project. The Total Costs for the project will be FFP. Software and Hardware Costs must not be included here.

The Proposal shall identify all proposed upgrade services by deliverable, and all costs shall be incorporated into deliverables that will be produced as a result. Deliverables proposed must include, at a minimum, each deliverable identified in RFP Appendix B-02, Implementation and Support Requirements, plus any additional deliverables that the Bidder recommends. It is expected that certain deliverables (e.g. planning deliverables) will be completed once during the entire project, while other deliverables (test results deliverables) will be completed multiple times.

The Proposal shall include the cost of ALL proposed services pertaining to the upgrade, including those services defined in the roles and responsibility tables in RFP Appendix B-02, Implementation and Support Requirements. Functional scope for the Upgrade Project includes the Upgrade requirements in RFP Appendix B-03, Functional Requirements. The Proposal shall indicate the one-time cost for the services in the Upgrade Project.

VII.3.3 Optional New Functionality Costs Worksheets (Forms VII-3a & VII-3b)

The Optional New Functionality Costs Worksheets include two forms, Form VII-3a, Optional New Functionality Configuration Projects Costs and VII-3b, Optional New Functionality Deployment Projects Costs.

Optional New Functionality Configuration Costs Worksheets (Form VII-3a)

Form VII-3a, Optional New Functionality Configuration Projects Costs shall reflect all one-time services proposed for each of the Optional New Functionality Configuration Projects. This worksheet shall contain the Hours and Cost by Deliverable for providing the various services associated with delivering and implementing all the services and systems required for each Optional New Functionality Configuration Project. The Total Cost for each project will be FFP. Software and Hardware Costs must not be included here.

The Proposal shall identify all proposed configuration services by Deliverable Group (by ASAP Phase), and all costs shall be incorporated into deliverables that will be produced as a result. Deliverables proposed must include, at a minimum, each deliverable identified in RFP Appendix B-02, Implementation and Support Requirements, plus any additional deliverables that the Bidder recommends. It is expected that certain deliverables (e.g. planning deliverables) will be completed once during each project, while other deliverables (test results deliverables) will be completed multiple times.

The Proposal shall include the cost of ALL proposed services pertaining to each Optional New Functionality Configuration Project, including those services defined in the roles and responsibility tables in RFP Appendix B-02, Implementation and Support Requirements. Functional scope for each Optional New Functionality Configuration Project includes the Optional New Functionality requirements in RFP Appendix B-03, Functional Requirements. The Proposal shall indicate the one-time cost for the services for each Optional New Functionality Configuration Project.

Optional New Functionality Deployment Costs Worksheets (Form VII-3b)

Form VII-3b, Optional New Functionality Deployment Costs Worksheet, shall reflect all one-time services proposed each of the Optional New Functionality Deployment Projects. This worksheet shall contain the Hours and Cost by Court Size for providing the various services associated with delivering all the deployment services required for each project. Court sizes include Small, Semi-Small, Medium, Large, and Extra-Large (Los Angeles). The Total Cost for each project will be FFP. Software and Hardware Costs must not be included here.

Although Costs are not detailed by deliverable in this worksheet, the deliverables provided in each Optional New Functionality Deployment Project must include, at a minimum, each deliverable identified in RFP Appendix B-02, Implementation and Support Requirements, plus any additional deliverables that the Bidder recommends. It is expected that certain deliverables (e.g. planning deliverables) will be completed once during each project, while other deliverables (test results deliverables) will be completed multiple times.

The Proposal shall include the cost of ALL proposed services pertaining to each Optional New Functionality Deployment Project, including those services defined in the roles and responsibility tables in RFP Appendix B-02, Implementation and Support Requirements. Functional scope for each Optional New Functionality Deployment Project includes the Optional New Functionality

requirements in RFP Appendix B-03, Functional Requirements. The Proposal shall indicate the one-time cost for the services for each Optional New Functionality Deployment Project.

VII.3.4 Optional Existing Functionality Costs Worksheet (Form VII-4)

The Optional Existing Functionality Costs Worksheet shall reflect all one-time services proposed each of the Optional Existing Functionality Projects. This worksheet shall contain the Hours and Cost by Court Size for providing the various services associated with delivering all the deployment services required for each project. The Total Cost for each project will be FFP. Software and Hardware Costs must not be included here.

Although Costs are not detailed by deliverable in this worksheet, the deliverables provided in each Project must include, at a minimum, each deliverable identified in RFP Appendix B-02, Implementation and Support Requirements, plus any additional deliverables that the Bidder recommends. It is expected that certain deliverables (e.g. planning deliverables) will be completed once during each project, while other deliverables (test results deliverables) will be completed multiple times.

The Proposal shall include the cost of ALL proposed services pertaining to each Optional Existing Functionality Project, including those services defined in the roles and responsibility tables in RFP Appendix B-02, Implementation and Support Requirements. Functional scope for each Optional Existing Functionality Project includes the Optional Existing Functionality requirements in RFP Appendix B-03, Functional Requirements. The Proposal shall indicate the one-time cost for the services for each Optional Existing Functionality Project.

VII.3.5 M&O Support Costs Worksheet (Form VII-5)

M&O Support is required starting upon Agreement execution. The AOC requires the ability to ramp M&O Support staff by staff classification type up and/or down on a monthly basis throughout the duration of the Agreement. The Proposal shall identify M&O Support staff rates in Form VII-6, Labor Rates Worksheet, while costs associated with M&O Support shall be calculated on Form VII-5, M&O Support Costs Worksheet, using the number of Hours per Year provided by the AOC. The Hours per Year for M&O Year 1 are based on 19 Staff Positions. The Hours per Year for M&O Years 2 – 5 are based on five Staff Positions.

For evaluation purposes, the M&O Support Costs Worksheet uses the Composite Rates from the Labor Rates Worksheet and the Hours per Year provided below to calculate its Total Cost for each year of M&O Support:

- 39,520 Hours per Year of Support for M&O Year 1
- 10,400 Hours per Year of Support for M&O Year 2
- 10,400 Hours per Year of Support for M&O Year 3
- 10,400 Hours per Year of Support for M&O Year 4
- 10,400 Hours per Year of Support for M&O Year 5
- 10,400 Hours of Support for Termination Assistance Services (assume in Year 5 for evaluation purposes)

The worksheet shall contain the ongoing M&O Support services costs for evaluation purposes only and shall not commit the AOC to a specific Bidder staff level.

The Bidder will invoice the AOC for staff based on the Hourly Rates and hours worked per month. The AOC will purchase Bidder staff in whole full-time equivalent (FTE) increments on a monthly basis, and Bidder staff will be required to work a minimum of thirty-six (36) hours per week. The hours invoiced per month must not exceed forty (40) hours per week per Bidder staff unless pre-approved by the AOC based on the standard Hourly Rates. The AOC expects minimum coverage on site at the AOC (Sacramento and/or San Francisco) five (5) days a week during normal business hours. Bidder M&O support staff shall be dedicated to AOC M&O Support and shall not perform work associated with the delivery of Phoenix Projects or any other client activities.

M&O staff shall provide services for the Proposed Solution including those services defined in the roles and responsibility tables in RFP Appendix B-02, Implementation and Support Requirements. M&O staff shall support the Phoenix Program Center of Excellence (COE) in support of activities associated with the M&O services (e.g. repairing defects and providing functional enhancements to the Phoenix System as well as maintenance and operations support).

For evaluation purposes, the Proposal shall identify costs for base years 1 through 3, and the two (2) one-year (1-year) Agreement options. The Proposal shall also identify costs for a twelve (12) month Termination Assistance Services period with the assumption that it occurs in Year 5 for evaluation purposes. The AOC will have the right to exercise the two (2) one-year (1-year) Agreement option(s) for M&O Support services. The AOC may acquire M&O Support services separately from another provider.

VII.3.6 Labor Rates Worksheet (Form VII-6)

The Bidder shall provide staff Hourly Rates and a Composite Rate for each of the following Project types:

- Upgrade Project
- Optional New Functionality Configuration Projects
- Optional New Functionality Deployment Projects and Optional Existing Functionality Projects
- Optional SAP Support
- M&O Support through the three (3) plus two (2) optional years

The Labor Rates Worksheet shall include the Bidder's firm-fixed Hourly Rates (inclusive of travel, per diem, and other expenses) for standard staff classifications based on the Staff Positions provided in the tables. Note that Optional New Functionality Configuration Projects may have a different Composite Rate than Optional New Functionality Deployment Projects and Optional Existing Functionality Projects due to the unique staff mix and associated travel requirements.

The Composite Rate for each Project type is a single, standard Hourly Rate that the Bidder shall offer as an option to the AOC for each Project type for unanticipated tasks, regardless of the mix of staff classifications required to actually perform the work. However, the Composite Rate shall be based on the Hourly Rate for each Staff Position used to establish the Composite Rate, and its associated Composite Weight Percentage. Composite Rate percentages shall be based on the corresponding Project's level of effort for each Staff Position (which at a minimum shall include Key Personnel provided in the tables).

A single, standard Composite Rate (inclusive of travel, per diem, and other expenses) shall be provided for Optional SAP Support for services to be provided upon request by the AOC, regardless of the mix of SAP Experts required to actually perform the work.

The Composite Rate for each year of M&O Support is a single, standard Hourly Rate that the Bidder shall offer as an option to the AOC for each year of ongoing M&O Support and ongoing unanticipated tasks, regardless of the mix of staff classifications required to actually perform the work. However, the Composite Rate shall be *based* on Hourly Rate for each Staff Position used to establish the Composite Rate, and its corresponding Composite Weight Percentage. Staff Positions and Composite Weight Percentages for M&O Support are provided in the tables for evaluation purposes and shall not be modified. The Composite Weight Percentages are based on the mix of 19 Staff Positions for M&O Year 1, but shall apply for all five years of the Agreement. The 19 Staff Positions used to establish the Composite Rate Percentages shall not commit the AOC to a specific Bidder staff level.

The fixed rates shall apply throughout the term of the Agreement period. Bidders may apply a maximum annual escalation of up to 5% for staff rates for M&O Support.

The AOC may request that the Agreement or provide additional services for unanticipated tasks that were not originally envisioned and are out-of-scope of this Agreement. These service requests will be handled via change requests.

VII.3.7 Software Costs Worksheet (Form VII-7)

The Software Costs worksheet shall enumerate all one-time and ongoing commercial off the shelf (COTS) software costs required for the development, quality1, quality2, training, stage, and production environments beyond that currently licensed by the AOC (e.g. SAP, TIBCO). Examples of software items to be proposed by the Bidder include other SAP modules, and other Bidder-Proposed Enterprise Technology Tools (e.g. SAP Security – Segregation of Duties, a tool that will encrypt the data from the desktop to the application when using the client side software, an SAP Test Data Migration, a Tool to Obfuscate Data, a Variance Monitor for Payroll Parallel Testing, any other utilities/tools if required to support the Bidder's methodology). These costs shall contain the price for one-time software licenses and ongoing maintenance for the Proposed Solution.³ The Bidder must describe all proposed COTS software items including Software Item, Per Unit Cost, Quantity, Environment, Manufacturer, License Type, Brand Name, Module Name, Version Number, SAP vs. Utility, Detailed Description, (e.g. functionality, purpose), Operating System, and Earliest Proposed Purchase Date for the items being proposed.

The Proposal shall identify all ongoing software costs required (e.g. maintenance, version upgrades, Level 3 COTS application support)⁴ for the M&O base years 1 through 3, and the two (2) one-year (1-year) Agreement options. The AOC will have the right to exercise the two (2) one-year (1-year) Agreement option(s) for version upgrade and support services, or may acquire these products and services separately from another provider.

³ The Implementation Services costs for the Bidder-Proposed Enterprise Technology Tools shall be provided in Form VII-2, Upgrade Project Costs.

⁴ Level 0 is end-user self-service, Level 1 is the first-level support analyst, Level 2 typically consists of desk-side support analysts and system administrators, and Level 3 consists of senior support staff and subject matter experts.

There are two sections in Form VII-7, Software Costs – one section for costs and one section for detailed specifications. The Bidder must make sure that these sections match. For example, if the Bidder proposes pricing for “x” software items in the one-time costs section, there should be a corresponding “x” number of software items in the specifications section.

In addition to completing Form VII-7, the Bidder must also complete and submit Form 7.2, Software Specification Form in RFP Appendix C, Bid Response Forms, which does not include pricing. The software specifications in these two forms must match.

VII.3.8 Hardware Costs Worksheet (Form VII-8)

The Proposal shall enumerate all hardware one-time and ongoing costs based on the Bidder's Proposed Solution (e.g. hardware required for the upgrade with sufficient capacity for the full deployment of the Phoenix Program). The Bidder shall also describe all proposed hardware, including Hardware Item, Per Unit Cost, Quantity, Environment, Manufacturer, Detailed Description, (e.g. number of processors, amount and type of storage and memory, type of network card), Operating System, and Earliest Proposed Purchase Date, for the items being proposed. The proposed hardware must support all Phoenix environments (e.g. development, quality1, quality2, training, stage, and production).

There are two sections in Form VII-8, Hardware Costs – one section for costs and one section for detailed specifications. The Bidder must make sure that these sections match. For example, if the Bidder proposes pricing for “x” hardware items in the one-time costs section, there should be a corresponding “x” number of hardware items in the specifications section.

In addition to completing Form VII-8, the Bidder must also complete and submit Form 7.3, Hardware Specification Form in RFP Appendix C, Bid Response Forms, which does not include pricing. The hardware specifications in these two forms must match.

VII.3.9 Payment Schedule Worksheet (Form VII-9)

The Bidder shall detail the payment schedule by Deliverable Group (e.g. Project Preparation, Business Blueprint, Realization, Final Preparation, Go Live and Deployment Support) as identified in Form VII-9. Each Deliverable Group has a not to exceed percentage relationship to the total cost proposed by Bidders per project as provided in RFP Appendix B-02, Implementation and Support Requirements, Section 6.3, Maximum Payment Schedule Percentages. All costs and cost items by Deliverable Group must be included in the schedule. The Bidder may add additional rows, move deliverables, and apply the percentages within each stated Deliverable Group as appropriate.

The Contractor shall be entitled to payments during the execution of projects of the Phoenix Program. Each payment will be tied to the successful completion of work and the AOC's conditional acceptance of the work, as defined by the Agreement and the Bidder Payment Schedule Worksheet. A 15% retention will be applied to each deliverable identified in each Deliverable Group. The payment to the Contractor on this 15% retention will be made after Final Acceptance of each project.

VII.3.9.1 Maximum Payment Schedule Percentages

The Bidder shall detail the payment schedule by Deliverable Group (e.g. Project Preparation, Business Blueprint, Realization, Final Preparation, Go Live and Deployment Support) as

identified in RFP Section VII.3.9 and Payment Schedule Worksheet (Form VII-9). Each Deliverable Group has a not to exceed percentage relationship to the total cost proposed by Bidders per project. The table below provides the not to exceed percentage for each Deliverable Group.

Table VII-1. Maximum Percentages by Deliverable Group

| ASAP Phase | Deliverable Groups | | |
|--------------------------------|--------------------|-------------------------------------|--|
| | Upgrade Project | Optional New Functionality Projects | Optional Existing Functionality Projects |
| Project Preparation | 15 % | 15 % | 10 % |
| Business Blueprint | 15 % | 15 % | 10 % |
| Realization | 15 % | 30 % | 20 % |
| Final Preparation | 15 % | 35 % | 20 % |
| Go Live and Deployment Support | 40 % | 5 % | 40 % |
| Total | 100 % | 100 % | 100 % |

VII.3.10 Pricing Assumptions Worksheet (Form VII-10)

The Bidder is required to state all pricing assumptions upon which its pricing is being determined in RFP Appendix D, Cost Workbook, Form VII-10, Pricing Assumptions. Note that all other Proposal Assumptions are to be provided in Form 7.1, Bidder Proposal Assumptions, provided in RFP Appendix C, Bid Response Forms. Assumptions shall not conflict with MSA terms and conditions or Mandatory Requirements of this RFP.

Assumptions made by the Bidder in responding to this RFP do not obligate the AOC in any way. Additionally, assumptions made by the Bidder may make the Proposal conditional and may cause the Bidder’s Proposal to be rejected.

The Bidder shall provide pricing consistent with the following:

- Apply the pricing in accordance with the MSA Terms and Conditions and Mandatory Requirements of the RFP.
- Clearly identify and explain all of the pricing assumptions made, upon which pricing is predicated including the cost/pricing impact if the assumption turns out not to be valid.
- State if any charge is subject to special conditions, and clearly specify those conditions and quantify their impact upon the charges.