



Carter County Sheriff's Office

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Dexter Lunceford
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Carter County Sheriff's Office RFP: CCSOICS2018 Addendum 5

To all concerned:

This is in response to questions received from ICS dated December 17, 2018 received on January 15, 2019. There will be a copy of this RFP in Word for your ease of response as indicated in question 1.

Thank you for your interest in providing the requested services

Respectfully,


Captain Thomas Smith
Executive Officer
Carter County Sheriff's Office

December 17, 2018

RE: RFP No. CCSOICS2018

Sent via email:
halava@sheriff.cc and grindstaffi@sheriff.cc

Dear Mr. Halava and Mr. Grindstaff:

Thank you for the opportunity to participate in the procurement process for the Carter County Inmate Telephone System and Other Equipment contract. In order to provide the best possible response, we ask for your help in clarifying the following items:

1. Would the County please provide a copy of the RFP in Microsoft Word format to facilitate responding to the RFP specifications?

There will be a Word Document of this RFP listed on the county website – cartercountyttn.gov for all to utilize.

2. If Payment Services are not required, is the Money Transmitter License applicable to this RFP?

Under Tennessee statute, those selling or issuing payment instruments or engaging in the business of receiving money for transmission or transmitting money within the U.S. or abroad by any and all means, including payment instrument, wire, facsimile, or electronic transfer, must obtain a money transmitter license. If payment services are not a part of the proposal I see no reason to include this.

3. Section 8.5 on RFP p. 33 specifies that commissions are to be paid for "local, intrastate, and international inmate calls..." but excludes interstate calling. Does the County also require commissions to be paid on interstate calls?

It would be my reasoning that if commissions can be collected on any aspect of your proposal, you will provide that in response. We will be looking at this carefully when reviewing all bids received. As each of you were advised during the meeting on December 12, 2018 the main areas of interest were customer service and commission scales.

We would like to point out that the FCC rulings allow commissions to be paid on all calls, including interstate calls. The portion of the FCC ruling which would have capped interstate rates at half the current rate caps, as well as prohibiting commissions on interstate calls, was *stayed* pending court review; in other words, that portion was removed from the current ruling, making commissions on these calls perfectly allowable under current FCC regulations. In fact, the FCC Order clearly states (at Paragraph 56 on page 31): **We do not conclude that ICS providers and correctional facilities cannot have arrangements that include site commissions.** [emphasis added]

Therefore, in order to receive comparable, competitive bids from all vendors, it is important that the County clarify that it does require commissions to be paid on

interstate calls, as well as all in-state and international calls, as allowed for under all current FCC orders and regulations.

4. Section 8.2 on RFP p. 31 states "The rates are set by the State per the FCC rules based on ADP so that all vendor commission is based upon the same rates and fees." However, Tennessee is deregulated and no specific rates have been set by the State. Will the County accept proposals that comply with any applicable FCC rate caps?

Yes as long as the rates fall within the guidelines of state law and FCC rulings -The FCC's most recent action occurred on August 4, 2016, when it set new rate caps for local and long-distance inmate calling. The new rate caps were scheduled to take effect for prisons on Dec. 12, 2016, and for jails on March 13, 2017. However, those rates were stayed by a court order, pending judicial review. As a result, the FCC's interim rate caps remain in effect. The interim rate caps apply only to interstate long-distance calls, not in-state long distance or local calls. Those rates are 21 cents a minute for debit/prepaid calls, and 25 cents a minute for collect calls.

Thank you in advance for your assistance with these questions. We look forward to submitting our proposal for the County's consideration.

Sincerely,

Laura Burns
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