



**State of West Virginia
Agency Request for Proposals**

Proc Folder: 925810			Reason for Modification:	
Doc Description: PCI (Payment Card Industry) Consulting			Addendum No 1 - To remove the "DRAFT" watermark from the specifications.	
Proc Type: Agency Master Agreement				
Date Issued	Solicitation Closes	Solicitation No	Version	Phase
2021-08-23	2021-10-06 10:30	ARFP 1300 STO2200000001	2	Final

BID RECEIVING LOCATION

WEST VIRGINIA STATE TREASURERS OFFICE
322 70TH ST SE

CHARLESTON WV 25304
US

VENDOR

Vendor Customer Code:
Vendor Name :
Address :
Street :
City :
State : **Country :** **Zip :**
Principal Contact :
Vendor Contact Phone: **Extension:**

FOR INFORMATION CONTACT THE BUYER

Shelly Murray
(304) 341-7089
shelly.murray@wvsto.com

Vendor Signature X **FEIN#** **DATE**

All offers subject to all terms and conditions contained in this solicitation

SCHEDULE OF EVENTS

<u>Line</u>	<u>Event</u>	<u>Event Date</u>
1	Question Submission Deadline	2021-09-15

	Document Phase	Document Description	Page
STO2200000001	Final	PCI (Payment Card Industry) Consulting	3

ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

SOLICITATION NUMBER: ARFP STO2200000001

Addendum Number: 01

The purpose of this addendum is to modify the solicitation identified as ARFP STO2200000001 (“Solicitation”) to reflect the change(s) identified and described below.

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other (Attach Purchasing Affidavit)

Attached specifications without “DRAFT” watermark.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: ARFP STO2200000001

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Company

Authorized Signature

Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

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SECTION ONE: GENERAL INFORMATION

1.1. Purpose: The West Virginia State Treasurer's Office, hereafter referred to as the "STO", is soliciting proposals from qualified vendors to provide Payment Card Industry ("PCI") Consulting Services.

1.2. By signing and submitting its proposal, the successful Vendor agrees to be bound by all the terms contained in this Request for Proposal ("RFP").

An RFP is generally used for the procurement of services in situations where price is not the sole determining factor and the award will be based on a combination of cost and technical factors (Best Value). Through its proposal, the bidder offers a solution to the objectives, problem, or need specified in the RFP, and defines how it intends to meet (or exceed) the RFP requirements.

1.3. Schedule of Events:

Vendor's Written Questions Submission Deadline	09/15/21
Addendum Issued.....	TBD
Bid Opening Date.....	10/06/21

1.4. Attachments

Attachment A: Vendor Response
Attachment B: Mandatory Specification Checklist
Attachment C: Cost Sheet

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SECTION TWO: INSTRUCTIONS TO VENDORS SUBMITTING BIDS

Instructions are attached

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SECTION THREE: GENERAL TERMS AND CONDITIONS

Terms and conditions are attached

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SECTION FOUR: PROJECT SPECIFICATIONS

- 4.1. **Location:** Agency is located at 1900 Kanawha Boulevard, Charleston, West Virginia 25305. Certain operations are located at 322 70th Street SE, Charleston, West Virginia 25304
- 4.2. **Background and Current Operating Environment:** The West Virginia State Treasurer's Office (STO) has a payment processing infrastructure that is subject to Payment Card Industry ("PCI") requirements. Additionally, the STO manages the merchant services contract for the State and provides a gateway for approximately seventy (70) West Virginia agencies/spending units which have a variety of methods for collecting payments, including various online and point-of-sale methods. The STO estimates that sixty (60) agencies/spending units process less than 10,000 transactions per year with several processing less than 100 transactions per year. However, there are a few agencies/spending units that process approximately 100,000 transactions per year. The STO also provides a gateway for merchant services to local governments as a service provider. Currently, the STO manages services for (number) local governments, however this number is expected to increase over the next year.

Currently, the STO is attesting as a, Merchant Level 3 and as Service Provider via a Report on Compliance (ROC) completed by Qualified Security Assessor (QSA). PCI compliance for the STO is managed by an internal PCI Compliance Group (which includes a PCI Internal Security Assessor (ISA)). The STO is currently compliant with PCI DSS SAQ D for merchants, Version 3.2, which was filed June 2020.

The intent of this solicitation is to contain two components for consideration: (1) ongoing independent assessment and resulting ROC for the STO, and (2) ongoing ad hoc consultations for other state agencies/spending units and local governments.

Please note: Issuance of a contract by the STO may also be extended for use by other State Agencies, Agencies of Local/County Government, Educational Entities or other quasi-Governmental Entities. It shall be the responsibility of other entities to determine if their rules and statutes permit them to use this contract. Issues of interpretation and eligibility determination of contract use shall be solely the authority of the entity. Vendor and entity shall work directly with each other to establish an ordering and payment process if services are requested through the contract.

- 4.3. **Qualifications and Experience:** Vendors should provide in **Attachment A: Vendor Response Sheet** information regarding their firm, such as staff qualifications and experience in completing similar projects; references; copies of any staff certifications or degrees applicable to this project; proposed staffing plan; descriptions of past projects completed entailing the location of the project, project manager name and contact information, type of project, and what the project goals and objectives were and how they were met.

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- 4.3.1 Vendor should provide an overview and history of its organization, including parent and/or subsidiary companies and the number of employees. Provide the address of the office location(s) that will service the STO.
- 4.3.2 References: Vendor should provide at least three references, if available, to which similar services were provided (See Exhibit A). All or none of these clients may be contacted by one or more members of the Evaluation Committee to determine the ability of the Vendor and the level of satisfaction with the Vendor. Furthermore, the STO reserves the right to contact any person or entity it believes prudent in order to inquire about the Vendor. List should include the following information for each reference:
- a. Entity name and contract manager with current contact information;
 - b. Start and End dates of services provided;
 - c. List of services provided in comparison to those sought through this RFP.
- 4.3.3 Explain any current or anticipated litigation, or other legal proceeding or government investigation, to which Vendor is a party.
- 4.3.4 Vendor should provide a resume for each individual that will be directly involved as support staff for the STO account. Include their experience in working with public entities and describe their anticipated roles with regard to STO account as well as how many years in this industry and how many years with the company.

4.4. Project and Goals: The project goals and objectives are:

- 4.4.1. The STO is requesting proposals to obtain a Report on Compliance (ROC) for the STO both as a Level 3 Merchant and as a Service Provider. Vendor should describe how it will perform the assessment and what deliverables will be provided including the completed ROC and appropriate recommendations for enhancement of the STO compliance efforts related to the STO payment processing infrastructure.
- 4.4.2. The STO desires to make available to agencies/spending units, PCI compliance consultation services to provide agencies/spending units with the knowledge and understanding regarding possible PCI compliance requirements. Vendor should describe how it will provide these consultation services, in an ad hoc manner, as requested and needed by agencies/spending units. The intent is to make PCI consulting services readily available to the agencies/spending units, for various possible reasons. While some may be seeking compliance verification, or assistance with compliance efforts, we anticipate some agencies/spending units may simply be attempting to determine what (if any) PCI compliance requirements may be applicable to them. Some of these engagements will be more about discovery than validation or remediation.

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- 4.4.3. Vendor should describe how it will ensure that PCI consultations for the agencies/spending units are always done in the context of their relationship with the STO, and its technological methodology of utilizing the STO payment infrastructure.
- 4.4.4. Vendor should describe the degree to which its PCI consulting services is truly an 'in house' resource, which operates as a distinct entity, with dedicated resources and long term commitment of the vendor, to operate within the PCI consulting space. Please provide a general description of the PCI services unit, including size, time in existence, and breadth of operations and engagements.
- 4.4.5. Vendor should describe the timeliness of engagement fulfillment and provide a 'best estimate' of the anticipated, typical amount of time between the start of an engagement, and the initial request for the engagement for both the one time engagement and potential agency/spending unit engagements.

4.5. Mandatory Requirements

The following mandatory requirements must be met by the Vendor as a part of the submitted proposal. Failure on the part of the Vendor to meet any of the mandatory specifications shall result in the disqualification of the proposal. The terms "must", "will", "shall", "minimum", "maximum", or "is/are required" identify a mandatory item or factor. Decisions regarding compliance with any mandatory requirements shall be at the sole discretion of the STO Purchasing Division.

- 4.5.1. Vendor must provide a Report on Compliance (ROC) for the STO both as a Level 3 Merchant and as a Service Provider. Vendor must also provide ongoing ad hoc consultations for other state agencies/spending units and local governments, performed by the same consulting team or PCI services unit, of the vendor.
- 4.5.2. Vendor must continuously have an 'in house' PCI consulting group, which will be responsible for both, STO assessments and the ongoing ad hoc consultations for other state agencies/spending units and local governments. Out sourcing or contracting to third parties of either the one-time assessment, or the ongoing consultations will not be acceptable.
- 4.5.3. All services, performed for the STO and any state agency/spending unit and local government shall be done by individuals with current Qualified Security Assessor (QSA) certifications, with a minimum of one year's experience as a QSA.
- 4.5.4. Vendor shall complete and provide appropriate reporting and findings for the STO assessment and each potential state agency/spending unit and local government engagement.

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SECTION FIVE: VENDOR PROPOSAL

5.1. Economy of Preparation: Proposals should be prepared simply and economically providing a straightforward, concise description of the Vendor's abilities to satisfy the requirements of the RFP. Emphasis should be placed on completeness and clarity of the content.

**** NOTE ** Vendors proposals should not exceed 30 pages excluding any requested exhibits or attachments.**

5.2. Incurring Cost: Neither the State nor any of its employees or officers shall be held liable for any expenses incurred by any Vendor responding to this RFP, including but not limited to preparation, delivery, or travel.

5.3. Proposal Format: Vendors should provide responses in the format listed below:

Title Page: State the RFP subject, number, Vendor's name, business address, telephone number, fax number, name of contact person, e-mail address, and Vendor signature and date.

Table of Contents: Clearly identify the material by section and page number.

Attachment A: Within the attached response sheet (**Attachment A: Vendor Response Sheet**), Vendor should provide the following: firm and staff qualifications and experience in completing similar projects; references; copies of any staff certifications or degrees applicable to this project; proposed staffing plan; descriptions of past projects completed entailing the location of the project, project manager name and contact information, type of project, and what the project goals and objectives were and how they were met.

Also, describe the approach and methodology proposed for this project. This should include how each of the goals and objectives listed is to be met.

Attachment B: Complete **Attachment B: Mandatory Specification Checklist**. By signing and dating this attachment, the Vendor acknowledges that they meet or exceed each of these specifications as outlined in 4.5 of Section Four: Project Specifications. The State reserves the right to require documentation detailing how each is met at its discretion.

Attachment C: Complete **Attachment C: Cost Sheet** included in this RFP and submit in a separate sealed envelope. Cost should be clearly marked.

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5.4. Proposal Submission: Proposals must be received in **two distinct parts**: technical and cost.

- **Technical proposals** must not contain any cost information relating to the project.
- **Cost proposal** shall be sealed in a separate envelope and will not be opened initially.

Vendor is to provide ONE (1) original Technical and ONE (1) original Cost proposal.

Vendor is to provide seven (7) convenience copies of both Technical and Cost.

Vendor is requested to provide an exact copy of the Technical response on a diskette, CD-ROM, DVD or USB flash drive in Adobe PDF or Microsoft Word with its proposal or immediately upon request by the designated buyer/contact person named within the solicitation document.

All proposals must be submitted to the STO Purchasing Division **prior** to the date and time stipulated in the RFP as the opening date. All bids will be dated and time stamped to verify official time and date of receipt. Bids not received prior to the proposal opening date and time as required shall be immediately disqualified. All submissions must be in accordance with the provisions listed below and in Section Two: Instructions to Bidders Submitting Bids above.

5.5. Technical Bid Opening: The STO Purchasing Division will open and announce only the technical proposals received prior to the date and time specified in the Request for Proposal. The technical proposals shall then be provided to the Agency evaluation committee.

5.6. Cost Bid Opening: The STO Purchasing Division shall schedule a date and time to publicly open and announce cost proposals when the STO Purchasing Division has approved the technical recommendation of the evaluation committee. All cost bids for qualifying proposals will be opened. Cost bids for non-qualifying proposals will also be opened but shall not be considered. A proposal may be deemed non-qualifying for a number of reasons including, but not limited to, the bidder's technical proposal failing to meet the minimum acceptable score and the bidder's technical proposal failing to meet a mandatory requirement of the contract. Certain information, such as technical scores and reasons for disqualification, will not be available until after the contract award.

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SECTION SIX: EVALUATION AND AWARD

- 6.1 **Evaluation Process:** Proposals will be evaluated by a committee of three (3) or more individuals against the established criteria with points deducted for deficiencies. The Vendor who demonstrates that they meet all of the mandatory specifications required; and has appropriately presented within their written response and/or during the oral demonstration (if applicable) their understanding in meeting the goals and objectives of the project; and attains the highest overall point score of all Vendors shall be awarded the contract. The STO reserves the right to contact any Vendor to clarify or elaborate on the proposal. No new or additional matter may be discussed. The selection of the successful Vendor will be made by a consensus of the evaluation committee.
- 6.2 **Evaluation Criteria:** All evaluation criteria is defined in the specifications section and based on a 100 point total score. Cost shall represent a minimum of 30 of the 100 total points.

The following are the evaluation factors and maximum points possible for technical point scores:

• Qualifications and experience	10 Points Possible
• Project and Goals	60 Points Possible
• Cost	<u>30 Points Possible</u>
Total	100 Points Possible

Each cost proposal cost will be scored by use of the following formula for all Vendors who attained the minimum acceptable score:

$$\frac{\text{Lowest price of all proposal}}{\text{Price of Proposal being evaluated}} \times 30 = \text{Price Score}$$

- 6.2.1 **Technical Evaluation:** The Agency evaluation committee will review the technical proposals, deduct points where appropriate, and make a final written recommendation to the Purchasing Division.
- 6.2.2 **Minimum Acceptable Score:** Vendors must score a minimum of 70% (49 points) of the total technical points possible. All Vendors not attaining the minimum acceptable score (MAS) shall be considered as non-qualifying. A proposal may be deemed non-qualifying for a number of reasons including, but not limited to, the bidder's technical proposal failing to meet the minimum acceptable score and the bidder's technical proposal failing to meet a mandatory requirement of the contract. Cost bids for non-qualifying proposals will also be opened but shall not be considered. Certain information, such as technical scores and reasons for disqualification, will not be available until after the contract award.

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- 6.2.3 Cost Evaluation: The Agency evaluation committee will review the cost proposals, assign appropriate points, and make a final recommendation to the Purchasing Division.

SECTION SEVEN: VENDOR PROTESTS

7.1 Types of Protests

7.1.1 Protests of Requirements, Specifications or Terms

By issuing the RFP, the STO intends to encourage competition among eligible Vendors. Any protest, complaint or problem with the RFP, including any requirement, specification or term contained in the RFP or any combination thereof, must be filed in writing with the Deputy Treasurer of Purchasing no later than three (3) working days prior to the Proposal Opening Date specified in the RFP. Protests received after that date will not be considered.

7.1.2 Protests of Award

After selection of the apparent successful Vendor, the Deputy Treasurer of Purchasing will send a written Notice to each Vendor regarding the award. Each Vendor will have until the date specified in the notice to file a written protest as to the award. Protests received after that date will not be considered.

7.2 Written Letter of Protest

The written letter of protest must contain the name and address of the protesting Vendor, the RFP number, a statement explaining why the protest has been filed, the relief sought, and any other information that may assist the Deputy Treasurer of Purchasing in reaching a decision on the matter. The Deputy Treasurer of Purchasing must receive the letter of protest by the appropriate deadline to be considered.

7.3 Review of Protest and Issuing Decision

The STO will review the letter of protest and issue a written decision. The STO may contact the protestor or any other entity he or she considers necessary to reach a decision. Opening of the proposals, evaluation of the proposals or award of the purchase order may be delayed, as considered appropriate by the STO.

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Attachment A: Vendor Response Sheet

Section 4

Provide a response regarding the following: firm and staff qualifications and experience in completing similar projects; references; copies of any staff certifications or degrees applicable to this project; proposed staffing plan; descriptions of past projects completed entailing the location of the project, project manager name and contact information, type of project, and what the project goals and objectives were and how they were met.

Vendor Response:

Section 4.3, Subsection 4.3.1: Vendor should provide an overview and history of its organization, including parent and/or subsidiary companies and the number of employees. Provide the address of the office location(s) that will service the STO.

Vendor Response:

Section 4.3, Subsection 4.3.2: References: Vendor should provide at least three references, if available, to which similar services were provided (See Exhibit A). All or none of these clients may be contacted by one or more members of the Evaluation Committee to determine the ability of the Vendor and the level of satisfaction with the Vendor. Furthermore, the STO reserves the right to contact any person or entity it believes prudent in order to inquire about the Vendor. List should include the following information for each reference:

- a. Entity name and contract manager with current contact information;
- b. Start and End dates of services provided;
- c. List of services provided in comparison to those sought through this RFP.

Vendor Response:

Section 4.3, Subsection 4.3.3: Explain any current or anticipated litigation, or other legal proceeding or government investigation, to which Vendor is a party.

Vendor Response:

Section 4.3, Subsection 4.3.4: Vendor should provide a resume for each individual that will be directly involved as support staff for the STO account. Include their experience in working with public entities and describe their anticipated roles with regard to STO account as well as how many years in this industry and how many years with the company.

Vendor Response:

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List project goals and objectives contained in Section 4.4, Subsection 4.4.1, et. al:

Section 4.4, Subsection 4.4.1: The STO is requesting proposals to obtain a Report on Compliance (ROC) for the STO both as a Level 3 Merchant and as a Service Provider. Vendor should describe how it will perform the assessment and what deliverables will be provided including the completed ROC and appropriate recommendations for enhancement of the STO compliance efforts related to the STO payment processing infrastructure.

Vendor Response:

Section 4.4, Subsection 4.4.2: The STO desires to make available to agencies/spending units, PCI compliance consultation services to provide agencies/spending units with the knowledge and understanding regarding possible PCI compliance requirements. Vendor should describe how it will provide these consultation services, in an ad hoc manner, as requested and needed by agencies/spending units. The intent is to make PCI consulting services readily available to the agencies/spending units, for various possible reasons. While some may be seeking compliance verification, or assistance with compliance efforts, we anticipate some agencies/spending units may simply be attempting to determine what (if any) PCI compliance requirements may be applicable to them. Some of these engagements will be more about discovery than validation or remediation.

Vendor Response:

Section 4.4, Subsection 4.4.3: Vendor should describe how it will ensure that PCI consultations for the agencies/spending units are always done in the context of their relationship with the STO, and its technological methodology of utilizing the STO payment infrastructure.

Vendor Response:

Section 4.4, Subsection 4.4.4: Vendor should describe the degree to which its PCI consulting services is truly an 'in house' resource, which operates as a distinct entity, with dedicated resources and long term commitment of the vendor, to operate within the PCI consulting space. Please provide a general description of the PCI services unit, including size, time in existence, and breadth of operations and engagements.

Vendor Response:

Section 4.4, Subsection 4.4.5: Vendor should describe the timeliness of engagement fulfillment and provide a 'best estimate' of the anticipated, typical amount of time between the start of an engagement, and the initial request for the engagement for both the one time engagement and potential agency/spending unit engagements.

Vendor Response:

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Attachment B: Mandatory Specification Checklist

List mandatory specifications contained in Section 4, Subsection 4.5:

Section 4, Subsection 4.5.1: Vendor must provide a one-time assessment of the efforts of the PCI Internal Compliance Group, and the ongoing ad hoc consultations, for other agencies/spending units, by the same consulting team or PCI services unit, of the vendor.

Vendor Response:

Section 4, Subsection 4.5.2: Vendor must continuously have an 'in house' PCI consulting group, which will be responsible for both, the one-time STO assessment, and the ongoing ad hoc consultations for other agencies/spending units. Out sourcing or contracting to third parties of either the one-time assessment, or the ongoing consultations will not be acceptable.

Vendor Response:

Section 4, Subsection 4.5.3: All services, including the one-time assessment and the potential agency consultations shall be done by individuals with current Qualified Security Assessor (QSA) certifications, with a minimum of one year's experience as a QSA.

Vendor Response:

Section 4, Subsection 4.5.4: Vendor shall complete and provide reporting and findings for the one-time engagement and each potential agency/spending unit engagement.

Vendor Response:

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Attachment C: Cost Sheet

Cost information below as detailed in the Request for Proposal and submitted in a separate sealed envelope. Cost should be clearly marked.

All services shall be calculated and billed at an hourly rate. There will be two rates. One rate will be for offsite services (no requirement for QSA to be onsite), the other will be for onsite work (QSA at customer location(s)). There will be no billing or payments for anything other than the hourly charges.

Please provide the offsite and onsite rates; if Vendor does not intend to designate a fee for a specific item, mark it as "zero" cost. Areas that are not marked "zero" and do not include a fee, will be priced as "zero." Shaded areas shall not be completed.

Vendor understands that all services will be provided and billed for based upon actual hours and delivery order issued by the STO or other Agency/Spending Unit.

The hours provided are general estimates only and shall only be used for evaluation purposes. The STO makes no guarantee to the actual quantity of services that will be required by the STO or any other agency/spending unit.

Year 1	Vendor Hourly Fee	STO Hours	Agency/Spending Unit Hours	Total
1. Offsite Services	\$	400	60	\$
2. Onsite Services	\$	60	40	\$
3. Total				\$