

**9-1-1 TELEPHONE SYSTEM  
RFP MSA 54159  
SECTION V – ADMINISTRATIVE REQUIREMENTS**

**A. INTRODUCTION**

In addition to meeting the Technical Requirements outlined in Section VI, bidders must adhere to all the Administrative Requirements of this RFP to be responsive. These requirements include the rules in Section II, Rules Governing Competition, the schedule specified in Section I, Introduction and Overview, the format specified in Section VIII, Proposal and Bid Format, the completion of cost worksheet specified in Section VII, Cost Proposal, and the Administrative Requirements of this section.

This section contains the non-technical requirements covering the bidder's responsibilities, with which the bidder must comply. Any material deviation in the proposal will cause it to be rejected.

**B. SECRETARY OF STATE CERTIFICATE OF STATUS**

All Corporations, Limited Liability Companies (LLCs) and Limited Partnerships (LPs) must be registered and in Active status with the California Secretary of State (SOS) to be awarded a contract. The Secretary of State Certificate of Status must be included with their proposal. To obtain this certificate, the Secretary of State may be contacted as follows:

California Secretary of State  
Division of Corporate Filing and Services  
1500 Eleventh Street, Third Floor  
Sacramento, CA 95814-5701  
Certification Unit: 916-657-5251

Or the required document may also be obtained through the following web site:  
<http://kepler.ss.ca.gov>

**C. INSURANCE REQUIREMENTS**

The State will not be responsible for any premiums or assessment on the policy. Each bidder must provide a Certificate of Insurance for the following:

**1. Liability**

Contractor shall furnish to the State a certificate of insurance stating that there is liability insurance presently in effect for the Contractor of not less than \$1,000,000 per occurrence for bodily injury and property damage liability combined.

The certificate of insurance must include the following provisions:

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- a. The insurer will not cancel the insured's coverage without thirty (30) days prior written notice to the State;
- b. The State of California is included as additional insured,

Contractor agrees that the liability insurance herein provided for shall be in effect at all times during the term of this contract (including all MSA release orders). In the event said insurance coverage expires at any time during the term of this contract, Contractor agrees to provide at least 30 days prior to said expiration date, a new certificate of insurance evidencing insurance coverage as provided for herein for not less than the remainder of the term of the contract, or for a period of not less than one (1) year. New certificates of insurance are subject to the approval of the Department of General Services, and Contractor agrees that no work shall be performed prior to approval. In the event the Contractor fails to keep in effect at all times insurance coverage as herein provided, the State may, in addition to any other remedies, terminate this contract.

**2. Workers' Compensation**

Contractor shall furnish to the State a certificate of insurance stating that there is Workers' Compensation insurance presently in effect for all of the Contractor's employees who will be engaged in the performance of this agreement. The certificate of insurance must include the following provision:

The insurer will not cancel the insured's coverage without thirty (30) days prior written notice to the State.

**D. LETTER OF BONDABILITY**

Each bidder must provide a Letter of Bondability and submit it with their proposal in accordance with Section VIII, Exhibit A. 5, Letter of Bondability for \$500,000.00.

**E. SELLER'S PERMIT**

Award of any contract as a result of this RFP will be conditional on providing the following document prior to award:

Each bidder must provide their company's California retailer's seller's permit or certification of registration and, if applicable, the permit or certification of all participating affiliates, issued by California's State Board of Equalization (BOE), pursuant to all requirements as set forth in Sections 6487, 7101 and Sections 6452.1, 6487.3, 18510 of the Revenue and Taxation Code, and Section 10295.1 of the Public Contract Code. Each Bidder shall include the necessary certification as a part of their bid package (see Section VIII, Exhibit A).

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**F. DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION PROGRAM REQUIREMENTS (DVBE)**

Public Contract Code (PCC) Section 10115 establishes Contract participation goals of at least three percent (3%) for Disabled Veteran Business Enterprise (DVBE). This goal applies to a State agency's overall contracting program. The program documents provide information and bidder responsibilities for the DVBE Participation Program, and compliance is a requirement of this RFP.

**To access the DVBE Program Requirements documents you may go to the following link:**

<http://www.documents.dgs.ca.gov/pd/smallbus/9-15-03%20DVBE%20PR-1-2.pdf>

**Bidders must submit a fully executed copy of the *Standard Form 840, and 840A* with their proposal.**

**1. Documentation of Disabled Veteran Business Enterprise Program Requirements (STD. 840)**

PLEASE READ THESE INSTRUCTIONS CAREFULLY. Failure to submit a complete response may result in a non-responsive determination, in which case the Final Proposal will be rejected. Refer to the following DVBE Resource Packet and Documentation of DVBE Program Requirements website links for requirements and the DVBE form (STD 840). This form must be completed and submitted in the draft and final bids with no dollar amounts included. The final version with costs included must be submitted in the separately sealed cost portion of the final bid.

**NOTE: In Option B, Good Faith Effort, Step 3, advertisement(s) must be published at least 14 days prior to the Final Proposal submission date for a period of fourteen (14) days. Note: It is acceptable to advertise in just one trade or DVBE paper if it fulfills both trade and focus requirements as defined in California Code of Regulations, Title 2, Section 1896.61(k)), in which case one (1) ad is acceptable. Please see the DVBE Resource Packet for a list of acceptable publications.**

The California Disabled Veteran Business Enterprise Requirements and DVBE form (STD 840) are available at the following web site links:

DVBE Resource Packet:

<http://www.documents.dgs.ca.gov/pd/dvbe/resource.pdf>

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Documentation of DVBE Program Requirements (STD 840):

<http://www.documents.dgs.ca.gov/pd/poliproc/DVBE-ReqPack.doc>

DVBE Program Changes (Effective 1/1/04)

<http://www.pd.dgs.ca.gov/dvbe/dvbeprogchanges.htm>

DVBE Participation Program Frequently Asked Questions

(FAQ):<http://www.pd.dgs.ca.gov/dvbe/pgmfaqs.htm#faq>

Expedited Small Business and DVBE Certification Application Processing:

<http://www.pd.dgs.ca.gov/smbus/expedite.htm>

The Office of Small Business and Disabled Veteran Business Enterprise (DVBE) Certification offers program information and may be reached at:

Small Business and DVBE Certification

707 Third Street, 1<sup>st</sup> Floor, Room 400

West Sacramento, CA 95605

Homepage: <http://www.pd.dgs.ca.gov/smbus>

24-hour information and document request system: (916) 322-5060

Receptionist: (916) 375-4940 Fax: (916) 375-4950

## 2. Disabled Veteran Business Enterprise Declarations (STD. 843)

Bidders who have been certified by California as a DVBE (or who are bidding rental equipment and have obtained the participation of subcontractors certified by California as a DVBE) must also submit a completed form(s) Std. 843 (Disabled Veteran Business Enterprise Declaration). All disabled veteran owners and disabled veteran managers of the DVBE(s) must sign the form(s). Should the form not be included with the solicitation, contact the State contracting official or obtain a copy online from the Department of General Services, Procurement Division, Office of Small Business and DVBE Services (OSDS) website at: [www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus). The completed form should be included with the bid response.

The DGS Procurement Division evaluation procedures for DVBE participation are revised. Pursuant to California Code of Regulations (CCR) 1896.60 et seq., bidders claiming to meet the DVBE goal participation requirements must be prepared to demonstrate the DVBE subcontractors are performing work that is reasonable for this Contract and is of a commercially useful function. Bidders shall comply with the State of California - DVBE requirements and are required to submit the completed documents in the RFP response.

At the State's option prior to award, bidders may be required to submit additional written clarifying information. Failure to submit the requested written information as specified may be grounds for bid rejection.

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**Disabled Veteran Business Enterprise Declarations (STD. 843)**

To access the DVBE Declarations document go to the following link:

<http://www.documents.dgs.ca.gov/pd/poliproc/STD-843.pdf>

**3. Bidder Declaration form – (GSPD 05-105)**

All bidders must complete the Bidder Declaration GSPD-05-105 and include it with the bid response. When completing the declaration, bidders must identify all DVBE subcontractors proposed for participation in the contract. Bidders awarded a contract are contractually obligated to use the subcontractors for the corresponding work identified unless the State agrees to a substitution and it is incorporated by amendment to the contract.

**Bidder Declaration form – (GSPD 05-105) To access the Bidder Declaration (GSPD-05-105) go to the following link:**

<http://www.documents.dgs.ca.gov/pd/delegations/GSPD105.pdf>

**4. Disabled Veteran Business Enterprise (DVBE) Incentive Requirement**

In accordance with Section 999.5(a) of the Military and Veterans Code, an incentive will be given to bidders who provide Disabled Veteran Business Enterprise (DVBE) participation. For evaluation purposes only, the State shall apply an incentive to proposals that include California certified DVBE participation as identified on the Bidder Declaration GSPD-05-105 and confirmed by the State. The incentive amount for awards is based on the amount of DVBE participation obtained. The incentive is only given to those Bidders who are responsive to the DVBE Program Requirement and propose DVBE participation in the resulting contract. See Section IX-Proposal Evaluation for details on incentive use.

If the Bidder chooses Option A, Commitment to full DVBE participation or Option C, Business Utilization Plan on Form STD. 840, the Final bid must contain the completed Bidder Declaration GSPD-05-105. This form allows Bidders to identify if they are a DVBE and/or identify DVBE subcontractors, their proposed contract function, and the corresponding percentage of participation. **NOTE: The State has a DVBE goal of three percent (3%.) If the Bidder Declaration shows participation of less than 3%, a Good Faith Effort must be documented.**

**G. IF APPLICABLE - TARGET AREA CONTRACT PREFERENCE ACT (TACPA), ENTERPRISE ZONE ACT (EZA), LOCAL AGENCY MILITARY BASE RECOVERY ACT (LAMBRA)**

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This RFP contains new and revised procedures for bidders who wish to apply for TACPA, EZA, or LAMBRA preferences. Bidders are encouraged to review the package carefully to ensure that their submittals conform to the programs requirements.

Target Area Contract Preference Act (TACPA), Government Code Section 4530 et seq.; Enterprise Zone Act (EZA), Government Code Section 7070, et seq.; and Local Agency Military Base Recovery Act (LAMBRA), Government Code Section 7118, et seq. information Package (Attachment 3). Contract preference will be granted to California-based bidders in accordance with whenever contracts for goods or services are in excess of \$100,000 and the bidders meet certain requirements as defined in the California Administrative Code (Title 2, Section 1806.30 et seq.) regarding labor needed to provide the goods being procured.

1. Bidders desiring to claim **TACPA** preference must submit a fully executed copy of the *Standard Form 830*, with their Final Proposal. The form can be found at: (Use “Target Area Contract” as key word). <http://www.pd.dgs.ca.gov/edip/tacpa.htm>
2. Bidders desiring to claim **EZA** preference must submit a fully executed copy of the *Standard Form 831S* with their Final Proposal. The form can be found at: (Use “Enterprise Zone” as key word). <http://www.pd.dgs.ca.gov/edip/eza.htm>
3. Bidders desiring to claim **LAMBRA** preference must submit a fully executed copy of the *Standard Form 832*, with their Final Proposal. The form can be found at: (Use “Local Agency Military Base” as key word). <http://www.pd.dgs.ca.gov/edip/lambra.htm>

**NOTE:** Bidders are not required to apply for TACPA, EZA, or LAMBRA preferences. Denial of TACPA, EZA, or LAMBRA preference requests is not a basis for rejection of the Proposal. Contracts awarded with applied preferences will be monitored throughout the life of the Contract for compliance to statutory, regulatory and contractual requirements. The State will take appropriate corrective action to apply sanctions as necessary to enforce performance programs.

#### H. IF APPLICABLE - SMALL BUSINESS PREFERENCE

Section VIII, Proposal and Bid Format, Small Business Certification must be completed and submitted by the date indicated in Section I.D Key Action Dates.

All bidders must complete the Bidder Declaration GSPD-05-105 and include it with the bid response. When completing the declaration, bidders must identify all subcontractors proposed for participation in the contract. Bidders awarded a contract are contractually obligated to use the subcontractors for the corresponding work identified unless the State agrees to a substitution and it is incorporated by amendment to the contract.

To access the Bidder Declaration (GSPD-05-105 go to the following link:

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<http://www.documents.dgs.ca.gov/pd/delegations/GSPD105.pdf>

#### 1. Revised Small Business Regulations

The Small Business Regulations, located in California Code of Regulations (Title 2, Division 2, Chapter 3, Subchapter 8, Section 1896 et seq.), concerning the application and calculation of the small business preference, small business certification, responsibilities of small business, department certification, and appeals are revised, effective 9/09/04. The regulations can be viewed at ([www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus)). Access the regulations by clicking on “Small Business Regulations” in the right sidebar. For those without Internet access, a copy of the regulations can be obtained by calling the Office of Small Business and DVBE Certification at (916) 375-4940.

SMALL BUSINESS NONPROFIT VETERAN SERVICE AGENCIES (SB/NVSA):

SB/NVSA prime bidders meeting requirements specified in the Military and Veterans Code Section 999.50 et seq. and obtaining a California certification as a small business are eligible for the 5% small business preference.

#### 2. New Non-Small Business Subcontractor Preference

A 5% proposal preference is now available to a non-small business claiming 25% California certified small business subcontractor participation. If applicable, submit corresponding letter claiming the preference.

Attachment With Proposal Required If Claiming Non-Small Business Subcontractor Preference:

If claiming the non-small business subcontractor preference, the proposal response must include a list of the small business(es) with which you commit to subcontract in an amount of at least twenty-five percent (25%) of the net proposal price with one or more California Certified Small Businesses. Each listed certified small business must perform a “commercially useful function” in the performance of the contract as defined in Government Code Section 14837(d)(4).

The required list of California Certified Small Business subcontractors must be attached to the proposal response and must include the following: 1) Subcontractor name, 2) address, 3) phone number, 4) a description of the work to be performed and/or products supplied, and 5) percentage of the net proposal price (as specified in the solicitation) per subcontractor. **DO NOT INDICATE COSTS AT DRAFT PROPOSAL SUBMISSION. ATTACHMENT WITH BID REQUIRED IF CLAIMING THE SMALL BUSINESS PREFERENCE:**

All bidders must complete and include the Bidder Declaration form GSPD-05-105. If claiming the non-small business subcontractor preference, the form must list all of the California certified small businesses with which you commit to subcontract in an

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amount of at least twenty-five percent (25%) of the net bid price. All certified small businesses must perform a “commercially useful function” in the performance of the contract as defined in Government Code Section 14837(d)(4).

To access the Bidder Declaration GSPD-05-105 go to the following link:

<http://www.documents.dgs.ca.gov/pd/delegations/GSPD105.pdf>

### **3. Small Business Preferences**

Bidders claiming the small business preference must be certified by California as a small business or must commit to subcontract at least 25% of the net bid price with one or more California certified small businesses. Completed certification applications and required support documents must be submitted to the Office of Small Business and DVBE Services (OSDS) no later than 5:00 p.m. on the bid due date, and the OSDS must be able to approve the application as submitted.

Small business nonprofit veteran service agencies (SB/NVSA) claiming the small business preference must possess certification by California prior to the day and time bids are due.

Questions regarding certification should be directed to the OSDS at (916) 375-4940.

The small business preference is applied to the total points scored during the evaluation and shall be computed as follows: if a large business has earned the highest point count, a preference equal to 5% of that total point score shall be computed and shall constitute the small business preference points, per Government Code 14838.b.2. The preference points shall be added to the total points of all responsive California Certified Small Business Bidders and/or non-small business subcontractors.

### **I. SUBCONTRACTORS**

Any subcontractor that the bidder chooses to use in fulfilling the requirements of this RFP shall also meet all RFP requirements as applicable. Bidders awarded contracts will be responsible for coordinating and controlling all aspects of his/her proposal, including support to be provided by a subcontractor and/or secondary contractors, and will be the sole point of contact with the State relative to contract performance. If this performance involves the use of one or more product(s) proprietary to another vendor, the prime bidder will be responsible for acquiring a license for the State’s use of such program products from the secondary vendor.

### **J. PAYEE DATA RECORD**

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Bidders should complete the Payee Data Record form (see Section VIII) and submit the completed document with their proposal. Payment cannot be made unless this form is completed and returned.

#### **K. GENERAL PROVISIONS**

The General Provisions for Information Technology are located at the link below:

- <http://www.documents.dgs.ca.gov/pd/modellang/ITGP03-27-06Final.pdf>

#### **L. INFORMATION TECHNOLOGY SPECIAL PROVISIONS**

The Information Technology Personal Services Special Provisions are located at the link below:

- <http://www.documents.dgs.ca.gov/pd/modellang/personalservicespecial012103.pdf>

The Information Technology Maintenance Special Provisions are located at the link below:

- <http://www.documents.dgs.ca.gov/pd/modellang/maintenancespecial12103.pdf>

The Information Technology Purchase Special Provisions are located at the link below:

- <http://www.documents.dgs.ca.gov/pd/modellang/purchasespecial012103.pdf>

The Information Technology Software Special Provisions are located at the link below:

- <http://www.documents.dgs.ca.gov/pd/modellang/softwarespecial012103.pdf>

#### **M. ADDITIONAL PROVISIONS**

##### **1. Applicability of Provisions**

All provisions included in this Agreement apply to all MSA release orders issued from this MSA. If there is a conflict between the MSA contract and the purchase order, the MSA contract shall prevail.

##### **2. Licenses and Permits**

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The Contractor shall be an individual or firm licensed to do business in California and shall obtain at his/her expense all license(s) and permit(s) required by law for accomplishing any work required in connection with this Agreement.

#### **3. Subcontractors**

Nothing contained in this Agreement or otherwise shall create any contractual relationship between the State and any subcontractors, and no subcontracts shall relieve the Contractor of its responsibilities and obligations hereunder. The Contractor agrees to be fully responsible to the State for the acts and omissions of its subcontractors and or persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor. The Contractor's obligation to pay its subcontractors is an independent obligation from the State's obligation to make payments to the Contractor. As a result, the State shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.

#### **4. Contract Violations**

The Contractor acknowledges that any violation of Chapter 2, or any other chaptered provision of the Public Contract Code (PCC), is subject to the remedies contained in PCC Sections 10420 through 10425.

#### **5. Contracts Funded by the Federal Government**

It is mutually understood between the parties that this contract may have been written before ascertaining the availability of congressional appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays which would occur if the contract were executed after that determination was made.

This contract is valid and enforceable only if the United States Government makes sufficient funds available to the State for the current and/or subsequent years covered by this agreement for the purposes of this program. In addition, this contract is subject to any additional restrictions, limitations, or conditions enacted by the Congress or any statute enacted by the congress, which may affect the provisions, terms, or funding of this contract in any manner.

It is mutually agreed that if the Congress does not appropriate sufficient funds for the program, this contract shall be amended to reflect any reduction in funds. The State has the option to void the contract under the thirty (30)-day cancellation clause or amend the contract to reflect any reduction of funds. The recipient shall comply with the single Audit Act and the reporting requirements set forth in OMB Circular A-133.

#### **6. Federal Debarment**

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The Federal Department of Labor requires that State agencies, which are expending Federal funds of \$25,000 or more, to have in the contract file a certification by the supplier that they have not been debarred or suspended from doing business with the Federal Government. Contractor must provide this documentation upon request.

#### **7. Negotiation**

At the State's sole option, the Department of General Services (DGS) reserves the right to invoke negotiations pursuant to Public Contract Code Section 6611, in accordance with existing guidelines and procedures adopted by the Department of General Services.

#### **N. CONTRACTOR'S STATEMENT OF WORK**

Every installation of 9-1-1 equipment is different due to the unique needs of each PSAP. A Statement of Work (SOW) is recommended for all installations of 9-1-1 equipment and is required for use of this contract. Prior to the commencement of any installation of a 9-1-1 system funded by the 9-1-1 Office, the Contractor shall prepare an SOW detailing all deliverables. If the PSAP requests changes to the installation after the SOW has been approved by all parties, the Contractor shall modify the SOW and the PSAP shall modify the Purchase Order and the Contractor will be compensated for any additional equipment and services requested by the PSAP. Any changes made without prior written approval by the 9-1-1 Office may not be funded. The SOW, which will become a part of any contract resulting from this RFP, is found in Section VIII, Exhibit VIII-A.2. A Contractor checklist which describes issues that should be addressed prior to installation is provided in Exhibit V-A.

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Exhibit V-A

**CONTRACTOR’S CHECKLIST**

NOTWITHSTANDING THE CONTRARY LANGUAGE IN GENERAL PROVISION #11, *ORDER OF PRECEDENCE*, THE SPECIFICATIONS AND STATEMENT OF WORK IN ANY PSAP PURCHASE ORDER ISSUED UNDER THE AUTHORITY OF THIS AGREEMENT SHALL **NOT** HAVE PRECEDENCE OVER ANY PROVISION OR CONDITION OF THIS AGREEMENT.

Prior to installation, Contractor shall provide:

- a. Detailed contact list information, including telephone, pager and FAX telephone numbers, e-mail addresses and names for project manager, installation technician, sales representative, network provider contact, 9-1-1 Office consultant, PSAP representatives and other project stakeholders.
- b. Roles and Responsibilities – identify the roles and responsibilities of each individual listed in “a” above.
- c. Floor Plans - detailed floor plans identifying the planned location of all equipment to be and corresponding workstation outlets.
- d. Facility Modifications Required – the Contractor will describe, and provide specifications for, all facility modifications necessary to accommodate the new system. Arrangements for all modifications not performed by the Contractor must be performed by the PSAP.
- e. Cost Itemization – a detailed list of all costs (including quantity, make/model of all hardware, installed software and version(s), training, installation and maintenance).
- f. System Interfaces – the Contractor will list all equipment or systems that must be interfaced or integrated into the 9-1-1 telephone system. This includes connection to a remote call data collection service (i.e., FRNIS or CARSNET – see CDR output requirements in Exhibit VI-A). The Contractor and any third party Contractors must agree on the interface specifications. Upon agreement, costs, specifications and responsibilities of the Contractor will be documented in the SOW.
- g. Circuitry – identify quantity/type of telephone trunks, lines and other circuits that will be connected to the 9-1-1 telephone system. Identify network provider service support and planning requirements.
- h. System Programming – prepare and deliver a plan to provide complete programming records showing each telephone/intelligent workstation, station/line features, system speed dial numbers, agent profiles, supervisor profiles, ACD programming and any other adjustable software parameter necessary to meet the specific needs of the PSAP. The system programming documentation shall be provided no more than 14 days following system acceptance.

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- i. System Growth Capacity – an explanation of configured system capacities and additional components needed to expand beyond current configuration.
- j. Maintenance Facility – the name, city location and telephone number of the primary and backup maintenance technician(s) responsible for on-site maintenance issues. The Contractor will detail the capabilities of its maintenance facility to provide remote or on-site service, as needed.