

## DECISION MEMORANDUM

**TO: COMMISSIONER KEMPTON  
COMMISSIONER SMITH  
COMMISSIONER REDFORD  
COMMISSION SECRETARY  
LEGAL  
WORKING FILE**

**FROM: GRACE SEAMAN**

**DATE: SEPTEMBER 15, 2010**

**RE: 2010 IDAHO TELECOMMUNICATIONS RELAY SERVICE CONTRACT  
AWARD; CASE NO. GNR-T-10-05.**

### BACKGROUND

The Idaho Telecommunications Relay Service (TRS) was established in 1992 pursuant to Title IV of the Americans With Disabilities Act (ADA), and 47 C.F.R. 64.601(7). The ADA provision established the requirements to provide access for a communications-impaired person to send and receive messages to and from a non-communications-impaired person. The Idaho legislature authorized the Commission to appoint a TRS Administrator to coordinate TRS services in Idaho Code § 61-1301. Idaho Code § 61-1303 outlines the responsibilities of the TRS Administrator. These responsibilities include: (1) consult with and receive recommendations from the advisory committee, or a representative thereof, appointed by the commission pursuant to section 61-1306, Idaho Code; (2) issue a request for proposals (RFP) to providers of message relay services requesting responsive proposals to provide such services as may be necessary for the program; (3) evaluate the responsive proposals and recommend one (1) or more proposals to the commission for its review and approval; and (4) enter into a contract with the provider of TRS, which contract and provider have been approved by the commission.

Hamilton Telecommunications is the current TRS service provider and its contract will expire on December 1, 2010. Consequently, the TRS Administrator, Mr. Bob Dunbar, prepared an RFP that was released on May 24, 2010 with a response due date of July 16, 2010. At the request of a bidder, the response date was extended to July 23, 2010. The term of the new

contract is for three years with the option of three one-year extensions. Mr. Dunbar received RFP bid responses from Sprint Relay (Sprint) and Hamilton Telecommunications (Hamilton).

Pursuant to Rule 103, IDAPA 31.46.02, the telephone industry TRS Advisory Committee (the Committee) was formed and it was comprised of volunteer representatives from Qwest Corporation, CenturyLink, and TDS Telecom.

## **EVALUATION OF THE RFP BIDS**

The TRS Administrator, Mr. Dunbar and members of the Committee reviewed and evaluated each response and evaluation sheets were then compiled by Mr. Dunbar. Each member of the Committee as well as the Administrator unanimously gave the highest score to Hamilton. Based on the scores, the Administrator recommends that the Commission approve awarding the TRS contract to Hamilton.

Hamilton submitted a 36-month contract rate of \$1.76 per conversation minute (an increase of \$.26 per minute over the current contract) for the basic relay service as outlined in the RFP and a rate of \$1.76 per conversation minute (an increase of \$.16 per minute) for Captioned Telephone service. Hamilton's price includes all equipment, personnel, facilities, software, and features and services (i.e. Speech to speech, Spanish and Intrastate Spanish translations to English relay service and visa versa, True Caller ID, Turbo Code, a complete in-state outreach program, plus all the features listed in Attachment M of the RFP response). Hamilton will round the conversation time to the nearest second in its call detail records, and calculations for invoicing will be rounded to the nearest 100<sup>th</sup> of a minute. Time billed to the TRS program will begin when the called party answers after the Hamilton Communications Associate sets up the call, and it will end when the called party disconnects. Hamilton states that if additional features or services are required or desired during the term of the contract, Hamilton will provide pricing for those services to the Commission.

Sprint submitted a 36-month contract rate of \$3.12 per minute for basic relay service (or \$2.24 per minute using a Sprint contractor) and \$1.82 per conversation minute for Captioned Telephone Service.

In late August 2010, the TRS Advisory Committee members independently evaluated and scored the bid responses and delivered the results to Mr. Dunbar. On September 1, 2010, Mr. Dunbar submitted a summary of the bid evaluations to the Commission. The Committee

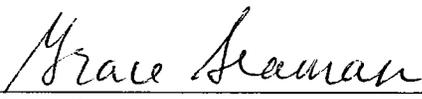
members' average rating of Hamilton was 885.5 out of 1000 possible points and Mr. Dunbar's evaluation was 870 points. In comparison, the Committee members' average rating of Sprint was 729.50 and Mr. Dunbar's evaluation was 722.50 making Hamilton as the clear winner of the RFP. Mr. Dunbar concurs with the evaluation results of the Committee. Thus, he recommends that the TRS service contract be awarded to Hamilton Telecommunications.

#### **STAFF RECOMMENDATION**

Staff believes Hamilton has provided quality service to Idaho relay users and supports the recommendation of Mr. Dunbar and the Committee. Pricing information also suggests it is in the public's best interest to award the contract to Hamilton. Staff recommends that the Commission approve the TRS bid recommendation and direct Mr. Dunbar to begin negotiations to secure a contract with Hamilton Telecommunications. The term of the contract is three years with the option for three additional one-year extensions.

#### **COMMISSION DECISION**

1. Does the Commission approve the recommendation of the TRS Administrator and the TRS Advisory Committee to award the TRS bid to Hamilton Telecommunications beginning December 1, 2010?
2. Does the Commission wish to direct Mr. Dunbar to negotiate a three-year contract with Hamilton Telecommunications with the option of three one-year extensions?

  
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Grace Seaman

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09-01-10

To: President Kempton  
Commissioner Smith  
Commissioner Redford

From: Bob Dunbar, ITRS Administrator

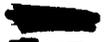
Subject: Relay Provider Recommendation

The ITRS Telephone Advisory Committee has reported a unanimous recommendation in favor of awarding Hamilton Telecommunications a new ITRS relay contract for a period of three years, with two additional one year extensions possible.

The three members evaluating the bid are Clint Berry (Qwest), Gail Long (TDS), and Barbara Young (CenturyLink).

Each member of the Advisory Committee utilized the evaluation method in the TRS RFP to rate the two responding bidders, Hamilton Telecommunications and Sprint.

The individual scoring follows:

	Hamilton	Sprint
	817.50	722.50
	854.00	666.00
	895.00	800.00

I concur with the recommendation of the Advisory Committee. My scoring is 870 points for Hamilton and 722.50 points for Sprint.

Both the Telephone Advisory Committee and the ITRS Administrator recommend awarding the Idaho TRS and CapTel contract to Hamilton Telecommunications of Aurora, Nebraska. Should you agree, I will immediately begin negotiations with Hamilton in order to provide continuing relay service beyond our current December 1, 2010 contract expiration date.

Should you wish to discuss the relay situation with me, I will be happy to do so at your convenience.