

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: September 30, 2021

TO: Office of Commission Clerk (Teitzman)

FROM: Office of Industry Development and Market Analysis (Williams) ^{CH}
Office of the General Counsel (Murphy, Imig) ^{TJ}

RE: Docket No. 20210049-TP – Request for submission of proposals for relay service, beginning in March 2022, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991.

AGENDA: 10/12/21 – Regular Agenda – Participation is Limited to Commissioners and Staff

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: La Rosa

CRITICAL DATES: Current contract expires on February 28, 2022.

SPECIAL INSTRUCTIONS: Anticipate the need for sign language interpreters and assisted listening devices. Please place at the beginning of the agenda to reduce interpreter costs.

Case Background

The Telecommunications Access System Act of 1991 (TASA), Chapter 427, Part II, Florida Statutes (F.S.), requires the Florida Public Service Commission (Commission) to select a Telecommunications Relay Services (TRS or relay service)¹ provider and oversee the administration of the relay system. The Commission currently contracts with Sprint Communications Company, L.P. (Sprint), a wholly-owned subsidiary of T-Mobile USA, Inc., for

¹ Telecommunications Relay Services allow persons who are deaf, hard of hearing, deafblind, or have speech disabilities to communicate by telephone through a Communication Assistant (CA) or advanced assistive technology.

the provision of relay service.² The existing Florida relay service provider contract expires February 28, 2022. On March 1, 2021, Sprint provided notice to the Commission that when the existing contract in Florida expires it would not seek to extend the contract into the optional renewal for the second year. In response, staff opened Docket No. 20210049-TP to initiate a new Request for Proposals (RFP) to provide relay service in Florida.

At the May 4, 2021 Agenda Conference, the Commission approved the issuance of the RFP. Accordingly, a Notice of Request for Proposals (Notice) was published in the Florida Administrative Register on May 11, 2021. Staff also placed the RFP on the Florida Department of Management Services' Vendor Bid System, and posted a link to the RFP on the Commission's website under Florida Relay. The deadline for filing proposals was June 17, 2021.

A Proposal Review Committee (PRC) was established that consisted of nine members, one from the TASA Advisory Committee and eight members from Commission staff. Two of the staff members served as accountants reviewing the financial information of the companies. Five staff members, plus the TASA Advisory Committee member, reviewed and scored the technical aspects of the proposals. A staff member was selected by the Director of the Office of Industry Development & Market Analysis to serve as the PRC Chairman. To remain independent, the PRC Chairman did not participate in the scoring of the financial or technical proposals. The role of the PRC Chairman was to coordinate and oversee the procurement process, to gather materials from references specified in the proposals, to interface with the RFP respondents regarding clarifications and questions about their proposals, and to tabulate scores to identify the winning proposal.

Two companies, Hamilton Relay, Inc. (Hamilton) and Sprint, responded to the RFP and filed price and technical proposals.³ Evaluation of the proposals began with a pass/fail evaluation of 31 technical and 2 financial aspects of the proposals. This was followed by an evaluation of 31 technical aspects of the proposals, with an assignment of numerical scores for each of the 31 technical items. The price proposals were submitted in sealed envelopes separate from the companies' technical proposals and were opened in the Office of the Commission Clerk on August 31, 2021, after the technical scoring was completed. As previously approved by the Commission in the RFP, a weight of 50 percent was applied to the technical aspect of the proposals and a weight of 50 percent was applied to the price aspect of the proposals.

This recommendation addresses which provider the Commission should select as the relay service provider. The Commission has jurisdiction pursuant to Section 427.704, F.S.

² Sprint is the entity through which T-Mobile provides state and federal relay services.

³ Hamilton and Sprint price and technical proposals. [10052-2021.pdf](#)

Discussion of Issues

Issue 1: Who should be awarded the Florida relay service provider contract?

Recommendation: Based upon the RFP evaluation process, staff recommends the Commission select Sprint as the relay service provider and direct the Commission's Executive Director or designee to: (1) issue the attached letter of intent to Sprint and Hamilton (Attachment A); (2) provide notice on the Florida Department of Management Services Vendor Bid System of the Commission's decision to award a three-year contract to provide the statewide relay service in Florida to Sprint; and (3) finalize and sign a contract with Sprint to provide the relay service. (Williams, Murphy)

Staff Analysis: The RFP encompassed the criteria in Section 427.704(3)(a), F.S., for the selection of the provider of the telecommunications relay service by the Commission. Section E of the RFP, entitled "The Evaluation Method to be Used and Filing Checklist," provides specific instructions and guidelines for the evaluation of the proposals. In accordance with the instructions, each RFP respondent's weighted percentage score for its technical proposal and its price proposal were added together to determine the proposal with the highest score.

Evaluation of Proposals

The PRC evaluated the technical proposals using a pass/fail criterion for some items and a point rating system for other items. Each proposal successfully advanced beyond the pass/fail section. After evaluating the pass/fail items, the evaluators scored the technical items and the technical scores were calculated. The price proposals were not opened until after the technical evaluations were completed.

The evaluators received specific forms on which to record their evaluations. The forms included an affidavit that each evaluator signed accepting the conflict of interest provisions in Section 427.704(3)(c), F.S. Also, each page of the forms included a place for the evaluator to indicate the date the evaluation was performed, a signature line, and a place to score the points or enter a pass/fail, whichever was appropriate for the item under evaluation.

Assignment of Points

Each technical evaluator independently assigned points within the RFP allotted range to 31 items. The items rated had maximum point values ranging from 25 to 200 points. The points from each evaluator were added together to produce the technical score for each proposal.

The technical and price proposals were evaluated, as described in Section E of the RFP, using a weighting of 50 percent for the technical and 50 percent for the price (broken down into 18.14 percent for basic TRS and 31.86 percent for Captioned Telephone Service (CTS)).⁴ The weighted percentage scores for the technical proposal and the price proposal were then added together to produce a final score for each proposal. Table 1-1 below shows the results of the scoring.

⁴ Captioned Telephone Service is a type of TRS that involves the use of a captioned telephone that displays text.

**TABLE 1-1
 Summary of the Technical and Price Proposals**

	Hamilton	Sprint
Technical Points	16,080	16,005
Highest Technical Score – Hamilton	16,080	
Technical Evaluation (Bidder’s score/highest score) X 0.5	.5000	.4977
Price Per Minute for Basic TRS	\$2.14	\$1.60
Lowest Price – Sprint	\$1.60	
Price Evaluation for Basic TRS (Lowest Price/Bidder’s Price) X 0.1814	0.1356	0.1814
Price Per Minute for CTS	\$1.80	\$1.67
Lowest Price – Sprint	\$1.67	
Price Evaluation for CTS (Lowest Price/Bidder’s Price) X 0.3186	0.2956	0.3186
Final Score (Technical Evaluation + Price Evaluation)	0.9312	0.9977

Analysis of the Scoring

As shown in Table 1-1, Hamilton received the highest technical score with 16,080 points. By comparison, Sprint received 16,005 points. Three of the six technical evaluators scored Hamilton the highest, while two evaluators scored Sprint the highest. One evaluator’s score resulted in a tie. Sprint offered the lowest price per session minute for basic TRS at \$1.60. Hamilton’s basic TRS price per session minute was \$2.14. Sprint also offered the lowest price per minute for CTS at \$1.67. Hamilton’s CTS price per minute was \$1.80.⁵

⁵ Sprint and Hamilton proposed rates for basic TRS are higher than the current Sprint contract rate of \$1.35. However, Sprint’s proposed \$1.67 rate for CTS results in a rate reduction of the current contract rate of \$1.69. Hamilton’s proposed \$1.80 rate for CTS would result in a rate increase.

Highlights of Sprint's Proposal

- **Communications Assistants (CA) Qualifications and Testing** will remain a priority as it does in the current contract. Sprint's proposal states that all CA applicants are tested before hiring, and CAs in training have proficient typing skill, call processing knowledge, and interpretation of typewritten American Sign Language (ASL). Sprint also acknowledges that all relay CAs receive continuous training and are routinely evaluated to monitor service quality. Consistent with the current contract, both in-house and third-party testing will be used to evaluate CAs. Further, Sprint ensures all CAs meet performance specifications using a Quality Assurance (QA) program. The QA program encompasses all stages of employee development, including hiring, training, ongoing performance evaluations, and individual development training. Lastly, Sprint makes a commitment to continue ethics and diversified culture training. Throughout the company's training, CAs receive information and guidelines on professional conduct with an emphasis on ethics and confidentiality. CAs and supervisors are required to sign and abide by a pledge of confidentiality. Diversified training focuses on the needs of the Deaf, Hard of Hearing, Deaf-Blind, seniors with a hearing loss, and people with a speech disability. Specifically, employees are trained on the culture, background, and language of relay user communities.
- **Sprint provides TRS and CTS from 13 call centers** to meet its requirements and goals to provide reliable and cost-effective service. Some of the relay call centers are operated by Sprint directly and some are operated under contract by CapTel, Inc., which has a long history of providing advanced assistive technology. Sprint currently does not operate a call center in Florida, but does provide CTS through its subcontractor in Orlando and Tampa. Sprint further states in its proposal that it has strategically placed many of its call centers in locations that minimize the impact of hurricanes, tornadoes, and other catastrophes. Sprint also makes a commitment that Florida relay calls will continue to be routed to Gold Star CAs, which are Sprint's most experienced and trained CAs. Further, Sprint states that Florida relay users will benefit from Sprint's Intelligent Call Routing, which ensures the next available TRS or CTS CA answers each call. Sprint commits in its proposal that its Intelligent Call Routing can send calls to any CA in its 13 geographically diverse call centers. Lastly, Sprint makes a commitment to continue to develop and include a TRS and CTS CA work from home solution that supports service delivery during natural or man-made disasters.
- **Sprint will continue to assign a Florida Relay Quality Assurance (QA) Manager** to oversee all areas of training, quality assurance, monthly testing, and customer feedback in Florida. Sprint QA managers coordinate all training and policies with the call center supervisors and trainers to maintain quality standards.
- **Sprint will maintain an in-state Customer Relationship Manager** to lead its consumer input program, coordinate outreach efforts with Florida Telecommunications Relay, Inc., and address relay user issues. The position also serves as a liaison between the QA manager, the Sprint Operations team, and the Commission.

- **Sprint will continue to conduct monthly TRS and CTS Quality Compliance Testing** using an experienced third-party evaluator. In addition to Sprint's internal testing, Sprint has committed to use an independent company to evaluate service quality.
- **Sprint commits to include 30,000 Relay Conference Captioning (RCC) Service minutes annually at no charge.** RCC was presented in Sprint's proposal as an unsolicited service offering. RCC requires a computer, laptop/tablet, or mobile device with high-speed internet connection. As conference call participants speak, the CA transcribes the conversation over the internet to the RCC user. The RCC user can speak or type responses. Transcripts are also available at no additional charge. After the 30,000 free minutes, RCC users are billed at \$3.26 per minute. RCC users include individuals, private sector organizations, and government agencies.

Conclusion

Of the two proposals, the one with the highest final score is Sprint (see Table 1-1). As required by Section E of the RFP, staff recommends the Commission contract with Sprint to provide the statewide relay service in Florida for the next three years (March 2022 - February 2025), with the option of four additional one-year periods upon mutual agreement.

Based upon the RFP evaluation process, staff recommends the Commission direct the Commission's Executive Director or designee to: (1) issue the attached letter of intent to Sprint and Hamilton (Attachment A); (2) provide notice on the Florida Department of Management Services Vendor Bid System of the Commission's decision to award a three-year contract to Sprint to provide the statewide telecommunications relay service in Florida; and (3) finalize and sign a contract with Sprint to provide the relay service.

FINALIZATION OF THE CONTRACT

After the Commission vote on this recommendation, the Commission will post the notice of its decision on the Florida Department of Management Services Vendor Bid System. Persons will have 72 hours after the posting of the notice to protest the decision. In addition, the attached letter of intent (Attachment A) to contract with Sprint for relay service will be sent by certified mail to the two bidders. If no protest is filed in accordance with Section 120.57(3), F.S., using the electronic posting as the start date, staff should be directed to work with Sprint to finalize contract language and incorporate Sprint's response to the RFP, along with the RFP, as the contract. Two copies of the contract are to be signed by an authorized Sprint representative and the Commission's Executive Director or designee, with each party receiving an original signed contract.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open for the life of the contract. (Murphy)

Staff Analysis: This docket will address matters related to the relay service throughout the life of the contract. Therefore, this docket should remain open for the life of the contract.

October xx, 2021

DELIVERED VIA E-MAIL AND
CERTIFIED MAIL – RETURN RECEIPT REQUESTED

(ADDRESSEE)

Dear (addressee):

It is the intent of the Florida Public Service Commission to award a three-year contract to provide the statewide relay service in Florida to Sprint Communications Company, L.P. Please accept our sincere appreciation for participating in the Request for Proposals process.

You are reminded that pursuant to Section 120.57(3), Florida Statutes (F.S.), any party choosing to file a protest of the Commission's intent to award the contract to Sprint Communications Company, L.P., must file a notice of protest in writing within 72 hours after the decision is posted on the Florida Department of Management Services Vendor Bid System. The party is then required by Section 120.57(3), F.S., to file a formal written protest within 10 days after filing the notice of protest. Such formal written protest shall state with particularity the facts and law upon which the protest is based. Failure to file a protest within the time prescribed in Section 120.57(3), F.S., or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, F.S.

All documents should be filed in Docket No. 20210049-TP and addressed to Mr. Adam J. Teitzman, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, Attention: Charles Murphy.

Respectfully,

Executive Director or Designee