**REQUEST FOR PROPOSAL (RFP)**

**STATE OF MARYLAND**

**DEPARTMENT OF HUMAN RESOURCES**

**FAMILY INVESTMENT ADMINISTRATION**

**OFFICE OF HOME ENERGY PROGRAMS**

**FIA/OHEP-14-003-S**

**AMENDMENT NO. 3**

**October 7, 2014**

Dear Prospective Offerors:

This amendment is being issued to amend certain information in the above-named RFP. All information contained herein is binding on all Offerors who respond to this RFP. Specific parts of the RFP have been amended. The changes are listed below. New language has been double underlined and marked in **bold (i.e. word)**, and language that has been deleted has been marked with a strikethrough (i.e. ~~word~~).

Revise Section 1.34, **Living Wage Requirement** as follows:

Maryland law requires that contractors meeting certain conditions pay a living wage to covered employees on State service contracts over $100,000. Maryland Code, State Finance and Procurement Article, § 18-101 *et al*. The Commissioner of Labor and Industry at the Department of Labor, Licensing and Regulation requires that a Contractor subject to the Living Wage law submit payroll records for covered employees and a signed statement indicating that it paid a living wage to covered employees; or receive a waiver from Living Wage reporting requirements. *See* COMAR 21.11.10.05.

If subject to the Living Wage law, Contractor agrees that it will abide by all Living Wage law requirements, including but not limited to reporting requirements in COMAR 21.11.10.05. Contractor understands that failure of the Contractor to provide such documents is a material breach of the terms and conditions and may result in Contract termination, disqualification by the State from participating in State contracts, and other sanctions.

Additional information regarding the **State’s living wage requirement** is contained in **Attachment G**. Offerors must complete and submit the **Maryland Living Wage Requirements Affidavit of Agreement** (**Attachment G-1**) with their Proposal. If an Offeror fails to complete and submit the required documentation, the State may determine an Offeror to be not responsible under State law.

Contractors and subcontractors subject to the Living Wage Law shall pay each covered employee at least the minimum amount set by law for the applicable Tier area. The specific living wage rate is determined by whether a majority of services take place in a **Tier 1 Area** ~~($13.19)~~ (**$13.39)** or **Tier 2 Area** ~~($9.91)~~ (**$10.06)** of the State. The Tier 1 Area includes Montgomery, Prince George’s, Howard, Anne Arundel and Baltimore Counties, and Baltimore City. The Tier 2 Area includes any county in the State not

included in the Tier 1 Area. In the event that the employees who perform the services are not located in the State, the head of the unit responsible for a State Contract pursuant to §18-102(d) of the State Finance and Procurement Article shall assign the tier based upon where the recipients of the services are located.

The Contract resulting from this solicitation will be determined to be a Tier 1 Contract or a Tier 2 Contract depending on the location(s) from which the Contractor provides 50% or more of the services. The Offeror must identify in its Proposal the location(s) from which services will be provided, including the location(s) from which 50% or more of the Contract services will be provided.

* If the Contractor provides 50% or more of the services from a location(s) in a Tier 1 jurisdiction(s) the Contract will be a Tier 1 Contract.
* If the Contractor provides 50% or more of the services from a location(s) in a Tier 2 jurisdiction(s), the Contract will be a Tier 2 Contract.
* If the Contractor provides more than 50% of the services from an out-of-State location, the State agency determines the wage tier based on where the majority of the service recipients are located.

Information pertaining to reporting obligations may be found by going to the Maryland Department of Labor, Licensing and Regulation (DLLR) website [**http://www.dllr.state.md.us/labor/prev/livingwage.shtml**](http://www.dllr.state.md.us/labor/prev/livingwage.shtml)**.**

**NOTE: Whereas the Living Wage may change annually, the Contract price may not be changed because of a Living Wage change.**

If you require clarification of the information provided in this amendment, please contact me at (410) 767-7418, or via email at [nneka.willis-gray@maryland.gov](mailto:nneka.willis-gray@maryland.gov).

By:

Nneka Willis-Gray

Nneka Willis-Gray

Procurement Officer