



**State of New Hampshire  
Office of Professional Licensure and Certification**

**REQUEST FOR PROPOSALS  
RFP-2024-ADMIN-01**

**FOR**

**TESTING SERVICES FOR LICENSING EXAMINATIONS**

**August 17, 2023**



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## 1. INTRODUCTION

### 1.1. Purpose

This Request for Proposals is published to solicit proposals for:

- The development of content for written and practical examinations required for licensure of certain regulated professions; and
- The administration of statewide written and practical examination services required for licensure of certain regulated professions.

The Office of Professional Licensure and Certification (OPLC) anticipates awarding one (1) or more contracts for services in this RFP to ensure statewide testing is available in all applicable disciplines.

### 1.2. Overview

The mission of the New Hampshire Office of Professional Licensure and Certification is to create a regulatory environment favorable to workforce opportunities while protecting the public through efficient and economic support to New Hampshire's professional licensing boards.

The OPLC provides administrative support to fifty-seven (57) professional licensing boards, commissions, and councils responsible for licensing and regulating their professions within the State of New Hampshire. This support includes facilitating written licensure examinations.

The OPLC is seeking vendors that can develop content for and/or administer examinations for a variety of license types within the agency. Currently, the Office of Professional Licensure and Certification (OPLC), envisions testing services to administer the following written examinations:

- National Interstate Council of State Boards of Cosmetology (NIC) Cosmetology, Nail Technology, Esthetics, Barber Styling, Electrology, Barber 1, Instructor, Permanent Cosmetics/Micropigmentation examinations
- Chiropractor Jurisprudence Examination;
- Dentist Jurisprudence Examination;
- Dental Hygienist Jurisprudence Examination;
- Forester Jurisprudence Examination;
- Funeral Director Jurisprudence Examination;
- Land Surveyor Jurisprudence Examination;
- Midwifery Jurisprudence Examination;
- Naturopathic Jurisprudence Examination;
- Optometrist Jurisprudence Examination;
- Pastoral Psychotherapist Jurisprudence Examination;



- Psychologist Jurisprudence Examination;
- Septic System Evaluator Jurisprudence Examination; and
- Veterinarian Jurisprudence Examination;

The OPLC also requires vendors that can develop and/or provide content for and administer written examinations for the following license types:

- Fuel Gas Fitter-Fuel Gas Piping Installer;
- Fuel Gas Fitter-Fuel Gas Installation Technician;
- Fuel Gas Fitter-Fuel Gas Service Technician;
- Journeyman Electrician;
- Journeyman Plumber;
- Master Electrician;
- Master Plumber;
- Real Estate Broker (State and National portion);
- Real Estate Salesperson (State and National portion);
- Soil Scientist; and
- Wetland Scientist,

The OPLC also facilitates certain practical examinations. The OPLC is seeking vendors that can develop and/or provide for and administer practical examinations for the following license types:

- National Interstate Council of State Boards of Cosmetology (NIC) Cosmetology, Nail Technology, Esthetics, Barber Styling, Electrology, Barber 1, Instructor, Permanent Cosmetics/Micropigmentation examinations
- Soil Scientist;
- Wetland Scientist

Past utilization data is available on-line through the [OPLC Annual Reports](#). Vendors must demonstrate the knowledge and experience necessary to manage examination services.

### **1.3. Contract Period**

- 1.3.1. The Contract(s) resulting from this RFP are anticipated to be effective January 1, 2024, or upon Governor and Executive Council approval, whichever is later, through December 31, 2028.
- 1.3.2. The OPLC may extend contracted services for up to four (4) additional years, contingent upon satisfactory Contractor performance, continued funding, and Governor and Executive Council approval.

## **2. STATEMENT OF WORK**

### **2.1. Scope of Services**



- 2.1.1. The selected vendor(s) must have several in-person examination sites to accommodate required in-person testing, as well as electronic testing for written examinations.
- 2.1.2. The selected vendor(s) must have the ability to process applications for examinations, which includes, but is not limited to:
  - 2.1.2.1. Accepting applications electronically.
  - 2.1.2.2. Collecting payments in a secure manner in accordance with payment card industry (PCI) standards.
  - 2.1.2.3. Providing accommodations for testing, as approved by the appropriate regulatory agency.
- 2.1.3. The selected vendor(s) must:
  - 2.1.3.1. Work with OPLC to ensure examination questions are current and encompass any changes to laws and/or rules that impact licensure.
  - 2.1.3.2. Ensure OPLC facilitates the approval of the examination design by the regulatory authority, prior to use.
  - 2.1.3.3. Ensure any changes to the examination design and/or content are expeditiously provided to OPLC for review and/or approval prior to use.
- 2.1.4. The selected vendor must ensure a variety of testing sites and times are available from which the examination candidate can choose. The selected vendor must:
  - 2.1.4.1. Ensure examination site information is readily available on-line for all candidates seeking examination services.
  - 2.1.4.2. Collect and process payments for examination services.
  - 2.1.4.3. Collect documentation, as required, from candidates.
  - 2.1.4.4. Provide written instructions for taking the examination, ensuring maximum information is available to candidates.
- 2.1.5. The selected vendor must provide customer services to examination candidates and the OPLC. The selected vendor(s) must, at a minimum:
  - 2.1.5.1. Ensure a method to receive telephone calls and messages twenty-four (24) hours per day, seven (7) days per week.
  - 2.1.5.2. Respond to customer inquiries no later than two (2) business days from receiving a message for a return call.
  - 2.1.5.3. Provide meaningful access to services for individuals who may not speak English as their primary language.
  - 2.1.5.4. Ensure communications are written in an easy-to-understand manner, in accordance with the profession in which examination services are sought.
- 2.1.6. The selected vendor must ensure a grievance process is in place to resolve complaints.



### 3. Performance Measures

#### 3.1. Establishment of Performance Measures

- 3.1.1. The selected vendor must provide regular reporting to OPLC sufficient to enable the agency to evaluate the vendor's performance.

### 4. RFP Responses

#### 4.1. Technical Proposals

- 4.1.1. Vendors must submit one (1) technical proposal for managing examination services.
- 4.1.2. Each technical proposal must provide comprehensive answers to the questions below.
  - 4.1.2.1. Provide your proposed plan to work with OPLC to gather necessary information to evaluate current testing practices and procedures that ensures minimal staff disruptions.
  - 4.1.2.2. Include your proposed plan to introduce potential changes to testing methods, practices and/or procedures that ensures consideration of the Boards and OPLC.
  - 4.1.2.3. Include your proposed plan to communicate examination requirements with licensees.
  - 4.1.2.4. Provide your proposed plan that ensures meaningful access to services for individuals who do not have English as their primary language. Include the number and types of languages you can accommodate.
  - 4.1.2.5. Provide your proposed plan to communicate the testing services you provide with schools while ensuring schools do not have access to testing instruments and/or testing sites.
  - 4.1.2.6. How will you meet or exceed national and/or state proctoring standards and protocols? Provide your proposed plan to ensure examinations are proctored in accordance with NH laws, and regulations.
  - 4.1.2.7. How will you ensure the security and control of all examination instruments and materials at all times while at the examination facility, ensuring no person, other than the person administering the examination removes the written examination materials from the examination area? Include your proposed plan to handle security breaches, should they occur.
  - 4.1.2.8. How will you ensure OPLC is aware of testing candidate information that may include, but is not limited to, candidate schedule for testing; resulting test scores; confirmation that candidate showed up; number of times an individual has taken the exam.
  - 4.1.2.9. How will you notify examination participants of examination results?
  - 4.1.2.10. Provide your proposed customer services plan that ensures candidates are able to obtain information relative to examination services. Include your process for addressing complaints, canceled appointments, site closures, and requests for rescheduling.



4.1.2.11. Provide your established grievance process, including reporting all grievances to OPLC and frequency of reports.

4.1.2.12. Provide your proposed plan concerning regular reports to OPLC.

**4.2. Cost Proposal**

4.2.1. All vendors must ensure no costs are incurred by the OPLC for examination services proposed. Proposals that include any costs incurred by the OPLC will be disqualified.

4.2.2. Vendors must submit one (1) fee schedule that addresses the cost for services to testing candidates that includes the cost of each exam and any associated fees charged to candidates for examination services.

4.2.3. Provide a schedule of fees associated with the technical proposal submitted that addresses all costs to licensees for services provided, if any.

4.2.4. Provide a schedule of fees associated with the technical proposal submitted that addresses all costs to schools for services provided, if any.

**4.3. Vendor Selection**

**4.3.1. Technical Proposal Score**

4.3.1.1.	Information Gathering (Q1)	90 Points
4.3.1.2.	Change Proposals (Q2)	70 Points
4.3.1.3.	Exam Requirements Communication (Q3)	90 Points
4.3.1.4.	Meaningful Access (Q4)	40 Points
4.3.1.5.	School Collaboration (Q5)	80 Points
4.3.1.6.	Quality Assurance (Q6)	30 Points
4.3.1.7.	Security and Control (Q7)	30 Points
4.3.1.8.	Communication with OPLC (Q8)	50 Points
4.3.1.9.	Exam Notification (Q9)	90 Points
4.3.1.10.	Customer Service (Q10)	100 Points
4.3.1.11.	Grievance Procedure (Q11)	<u>80 Points</u>

**Total Technical Review Points Possible 750 Points**

**4.3.2. Cost Proposal Score**

4.3.2.1. Cost proposals will be evaluated on a matrix shown below.

Question	Low	Medium	High	Total Points Available
Q1C. Licensee Fees	10-30 Costs are not reasonable for proposed services	40-70	80-100	100



		Costs are somewhat reasonable for proposed services	Costs are exceptional value for proposed services	
			<b>Total:</b>	<b>100</b>

**4.3.3. Vendor Selection**

4.3.3.1. The OPLC will select the vendor that submits the proposal with the overall highest score. This is not a low bid procurement.

**5. PROPOSAL PROCESS**

**5.1. Contact Information – Sole Point of Contact**

The sole point of contact, the Procurement Coordinator, relative to the bid or bidding process for this RFP, from the RFP issue date until the selection of a Bidder, and approval of the resulting contract by the Governor and Executive Council is:

State of New Hampshire  
 Office of Professional Licensure and Certification  
 Heather Kelley, Director of Operations  
 7 Eagle Square  
 Concord, New Hampshire 03301  
 Email: [OPLC.contracts@oplcnh.gov](mailto:OPLC.contracts@oplcnh.gov)  
 Phone: 603-271-3052

Other personnel are NOT authorized to discuss this RFP with Bidders before the proposal submission deadline. Contact regarding this RFP with any State personnel not listed above could result in disqualification. The State will not be held responsible for oral responses to Bidders regardless of the source.

**5.2. Procurement Timetable**

<b>Procurement Timetable</b>		
(All times are according to Eastern Standard Time. OPLC reserves the right to modify these dates at its sole discretion.)		
Item	Action	Date
1.	Release RFP	August 17, 2023
3.	Vendor Questions Submission Deadline	September 1, 2023 at 4 pm
4.	OPLC Response to Questions Published	September 8, 2023
5	Vendor Proposal Submission Deadline	September 22, 2023 at 4 pm

**5.3. Letter of Intent**

5.3.1. A Letter of Intent to submit a Proposal in response to this RFP is optional.





- 5.3.2. Receipt of the Letter of Intent by OPLC will be required to receive any correspondence regarding this RFP; any RFP amendments, in the event such are produced; or any further materials on this project, including electronic files containing tables required for response to this RFP; any addenda; corrections; schedule modifications; or notifications regarding any informational meetings for Vendors; or responses to comments; or questions.
- 5.3.3. The Letter of Intent must be transmitted by e-mail to the Contract Specialist identified in Subsection 5.1.
- 5.3.4. The vendor is responsible for successful e-mail transmission. The Letter of Intent must include the name, telephone number, mailing address and email address of the Vendor's designated contact. The OPLC will provide confirmation of receipt of the Letter of Intent if the name and e-mail address of the person to receive such confirmation is provided by the Vendor.
- 5.3.5. Notwithstanding the Letter of Intent, Vendors remain responsible for reviewing the most updated information related to this RFP before submitting a proposal.

#### **5.4. Questions and Answers**

##### **5.4.1. Vendor Questions**

- 5.4.1.1. All questions about this RFP including, but not limited to, requests for clarification, additional information or any changes to the RFP must be made in writing, by e-mail only, citing the RFP page number and part or subpart, and submitted to the Contract Specialist identified in Subsection 5.1.
- 5.4.1.2. The OPLC may consolidate or paraphrase questions for efficiency and clarity. Questions that are not understood will not be answered. Statements that are not questions will not receive a response.
- 5.4.1.3. The questions must be submitted by email; however, the Department assumes no liability for ensuring accurate and complete email transmissions.
- 5.4.1.4. Questions must be received by the Department by the deadline given in Subsection 5.2, Procurement Timetable.

##### **5.4.2. OPLC Answers**

The OPLC intends to issue responses to properly submitted questions by the deadline specified in Subsection 5.2, Procurement Timetable. All oral answers given are non-binding. Written answers to questions received will be posted on the OPLC website. Vendors will be sent an e-mail to the contact person identified in the Letters of Intent indicating that an addendum containing Questions and Answers has been posted on the OPLC website. This date may be subject to change at the OPLC's discretion.

#### **5.5. Exceptions**



- 5.5.1. The OPLC will require the successful Vendor to execute a contract using the Form P-37, General Provisions and Standard Exhibits, which are attached as Appendix A. To the extent that a Vendor believes that exceptions to Appendix A will be necessary for the Vendor to enter into a Contract, the Vendor must note those issues during the RFP Question Period in Subsection 5.2. Vendors may not request exceptions to the Scope of Services or any other sections of this RFP.
- 5.5.2. The OPLC will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion.
- 5.5.3. Any exceptions to the standard form contract and exhibits that are not raised by a Vendor during the RFP Question Period may not be considered. In no event is a Vendor to submit its own standard contract terms and conditions as a replacement for the OPLC's terms in response to this solicitation.

### 5.6. RFP Amendment

The OPLC reserves the right to amend this RFP, as it deems appropriate prior to the Proposal Submission Deadline on its own initiative or in response to issues raised through Vendor questions. In the event of an amendment to the RFP, the Department, at its sole discretion, may extend the Proposal Submission Deadline. Vendors who submitted a Letter of Intent will receive notification of the addendum, and the amended language, if any, will be posted on the OPLC website. Additionally, Official Questions and Answers to vendor questions will be published as an addendum.

### 5.7. Proposal Submission

- 5.7.1. Proposals must be submitted electronically to [OPLC.contracts@opl.nh.gov](mailto:OPLC.contracts@opl.nh.gov).
  - 5.7.1.1. The subject line must include the following information: RFP (email xx of xx).
  - 5.7.1.2. The maximum size of file attachments per email is 10 MB. Proposals with file attachments exceeding 10 MB must be submitted via multiple e-mails.
- 5.7.2. The OPLC must receive the Proposal by the time and date specified in the Procurement Timetable in Section 5 and in the manner specified or it may be rejected as non-compliant, unless waived by the OPLC as a non-material deviation.
- 5.7.3. The OPLC will conduct an initial screening step to verify vendor compliance with the submission requirements of this RFP. The OPLC may waive or offer a limited opportunity for a vendor to cure immaterial deviations from the RFP requirements if it is deemed to be in the best interest of the OPLC.
- 5.7.4. Late submissions that are not accepted will remain unopened. Disqualified submissions will be discarded. Submission of the proposal is at the vendor's expense.

### 5.8. Non-Collusion



The vendor's required signature on the Transmittal Cover Letter for a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and services quoted have been established without collusion with other vendors and without effort to preclude the Department from obtaining the best possible competitive proposal.

### **5.9. Collaborative Proposals**

Proposals must be submitted by one organization. Any collaborating organization must be designated as a subcontractor subject to the terms of Appendix A, P-37 General Provisions and Standard Exhibits.

### **5.10. Validity of Proposals**

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission in the Procurement Timetable above in Subsection 5.2, or until the Effective Date of any resulting Contract, whichever is later.

### **5.11. Property of the OPLC**

All material property submitted and received in response to this RFP will become the property of the OPLC and will not be returned to the vendor. The OPLC reserves the right to use any information presented in any proposal provided that its use does not violate any copyrights or other provisions of law.

### **5.12. Proposal Withdrawal**

Prior to the Proposal Submission Deadline specified in Subsection 5.2, Procurement Timetable, a submitted Letter of Intent or Proposal may be withdrawn by submitting a written request for its withdrawal to the Contract Specialist specified in Subsection 5.1.

### **5.13. Public Disclosure**

- 5.13.1. Pursuant to RSA 21-G:37, the content of responses to this RFP must remain confidential until the Governor and Executive Council have awarded a contract. At the time of receipt of proposals, the OPLC will post the number of responses received with no further information. No later than five (5) business days prior to submission of a contract to the Department of Administrative Services pursuant to this RFP, the OPLC will post the name, rank, or score of each vendor. The vendor's disclosure or distribution of the contents of its proposal, other than to the OPLC, will be grounds for disqualification at the OPLC's sole discretion.
- 5.13.2. The content of each proposal and addenda thereto will become public information once the Governor and Executive Council have approved a contract. Any information submitted as part of a proposal in response to this RFP may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH ([www.nh.gov/transparentnh/](http://www.nh.gov/transparentnh/)). Accordingly, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV.
- 5.13.3. Insofar as a vendor seeks to maintain the confidentiality of its confidential commercial, financial, or personnel information, the vendor must clearly identify in writing the information it claims to be confidential and explain



the reasons such information should be considered confidential. This must be done by separate letter identifying by page number and proposal section the specific information the vendor claims to be exempt from public disclosure pursuant to RSA 91-A:5. The vendor is strongly encouraged to provide a redacted copy of their proposal.

- 5.13.4. Each vendor acknowledges that the OPLC is subject to the Right-to-Know Law New Hampshire RSA Chapter 91-A. The OPLC shall maintain the confidentiality of the identified confidential information insofar as it is consistent with applicable laws or regulations, including but not limited to New Hampshire RSA Chapter 91-A. In the event the OPLC receives a request for the information identified by a vendor as confidential, the OPLC shall notify the vendor and specify the date the OPLC intends to release the requested information. Any effort to prohibit or enjoin the release of the information shall be the vendor's responsibility and at the vendor's sole expense. If the vendor fails to obtain a court order enjoining the disclosure, the OPLC may release the information on the date the OPLC specified in its notice to the vendor without incurring any liability to the vendor.

#### **5.14. Non-Commitment**

Notwithstanding any other provision of this RFP, this RFP does not commit the OPLC to award a contract. The OPLC reserves the right to reject any and all proposals or any portions thereof, at any time and to cancel this RFP and to solicit new proposals under a new procurement process.

#### **5.15. Liability**

By submitting a proposal in response to this RFP, a vendor agrees that in no event shall the OPLC be either responsible for or held liable for any costs incurred by a vendor in the preparation or submittal of or otherwise in connection with a proposal, or for work performed prior to the Effective Date of a resulting contract.

#### **5.16. Request for Additional Information or Materials**

The OPLC may request any vendor to provide additional information or materials needed to clarify information presented in the proposal. Such a request will be issued in writing and will not provide a vendor with an opportunity to change, extend, or otherwise amend its proposal in intent or substance.

#### **5.17. Successful Proposer Notice and Contract Negotiations**

If a vendor is selected, the OPLC will send written notification of their selection and the OPLC's desire to enter into contract negotiations. Until the OPLC successfully completes negotiations with the selected vendor(s), all submitted proposals remain eligible for selection by the OPLC. In the event contract negotiations are unsuccessful with the selected vendor(s), the evaluation team may recommend another vendor(s). The OPLC will not contact vendor(s) that are not initially selected to enter into contract negotiations.

#### **5.18. Scope of Award and Contract Award Notice**

- 5.18.1. The OPLC reserves the right to award a service, part of a service, group of services, or total proposal and to reject any and all proposals in whole or in part. A contract award is contingent on approval by the Governor and Executive Council.



- 5.18.2. If a contract is awarded, the Contractor must obtain written consent from the State before any public announcement or news release is issued pertaining to any contract award.

### **5.19. Site Visits**

The OPLC may, at its sole discretion, at any time prior to contract award, conduct a site visit at the vendor's location(s) or at any other location deemed appropriate by the OPLC, to determine the vendor's capacity to satisfy the terms of this RFP. The OPLC may also require the vendor to produce additional documents, records, or materials relevant to determining the vendor's capacity to satisfy the terms of this RFP. Any and all costs associated with any site visit or requests for documents shall be borne entirely by the vendor.

### **5.20. Protest of Intended Award**

Any challenge of an award made or otherwise related to this RFP shall be governed by RSA 21-G:37, and the procedures and terms of this RFP. The procedure set forth in RSA 21-G:37, IV, shall be the sole remedy available to challenge any award resulting from this RFP. In the event that any legal action is brought challenging this RFP and selection process, outside of the review process identified in RSA 21-G:37,IV, and in the event that the State of New Hampshire prevails, the challenger agrees to pay all expenses of such action, including attorney's fees and costs at all stages of litigation.

### **5.21. Contingency**

Aspects of the award may be contingent upon changes to state or federal laws and regulations.

### **5.22. Ethical Requirements**

From the time this RFP is published until a contract is awarded, no vendor shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or similar submission. Any vendor that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any vendor who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from submitting a proposal response to this RFP, or similar request for submission and every such vendor shall be disqualified from submitting any Proposal or similar request for submission issued by any state agency. A vendor that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the Department of Administrative Services, which shall note that information on the list maintained on the State's internal intranet system, except in the case of annulment, the information, shall be deleted from the list.

## **6. PROPOSAL OUTLINE AND REQUIREMENTS**

### **6.1. Presentation and Identification**

- 6.1.1. Overview



- 6.1.1.1. Acceptable proposals must offer all services identified in Section 2 - Statement of Work, unless an allowance for partial scope is specifically described in Section 2.
- 6.1.1.2. Proposals must be submitted electronically as specified in Subsection 5.7.
- 6.1.1.3. Vendors must submit a separate electronic document for the Technical Proposal and a separate electronic document for the Cost Proposal.
- 6.1.2. Outline and Detail - Each Proposal shall contain the following, in the order described in this section.
  - 6.1.2.1. Technical Proposal Contents – The Transmittal Cover Letter must:
    - Be on the Proposer’s company letterhead;
    - Be signed by an individual who is authorized to bind the company to all statements, including services and prices contained in the proposal;
    - Identify the submitting organization;
    - Identify the name, title, mailing address, telephone number and email address of the person authorized by the organization to contractually obligate the organization;
    - Identify the name, title, mailing address, telephone number and email address of the fiscal agent of the organization;
    - Identify the name, title, telephone number, and email address of the person who will serve as the vendor’s representative for all matters relating to the RFP;
    - Acknowledge that the vendor has read this RFP, understands it, and agrees to be bound by its requirements;
    - Explicitly state acceptance of terms, conditions, and general instructions stated in Section 7 Mandatory Business Specifications;
    - Confirm that Appendix A P-37 General Provisions and Standard Exhibits has been read and is understood;
    - Explicitly state that the proposal is valid for one hundred and eighty (180) days following the deadline for submission in the Procurement Timetable above in Subsection 5.2, or until the Effective Date of any resulting Contract, whichever is later; and
    - Include the date that the proposal was submitted.
  - 6.1.3. Table of Contents - The required elements of the proposal shall be numbered sequentially and represented in the Table of Contents.



- 
- 6.1.4. Executive Summary. A vendor must submit an executive summary to:
- 6.1.4.1. Provide the OPLC with an overview of the organization and what the vendor intends to provide;
  - 6.1.4.2. Demonstrate an understanding of the services requested in this RFP and any problems anticipated in accomplishing the work;
  - 6.1.4.3. Demonstrate the overall design of the project in response to achieving the deliverables as defined in this RFP; and
  - 6.1.4.4. Demonstrate familiarity with the project elements, its solutions to the problems presented and knowledge of the requested services.
- 6.1.5. Proposal Narrative, Project Approach, and Technical Response
- 6.1.5.1. Responses must address the questions in sequential order citing the relevant section.
- 6.1.6. Description of Organization
- 6.1.6.1. Vendors must include in their proposal a summary of the company's organization, management, and history and how the organization's experience demonstrates the ability to meet the needs of requirements in this RFP. At a minimum, the description must include:
    - General company overview;
    - Ownership and subsidiaries;
    - Company background and primary lines of business;
    - Number of employees;
    - Headquarters and satellite locations;
    - Current project commitments;
    - Major government and private sector clients;
    - Mission Statement;
    - The programs and activities of the company;
    - The number of people served;
    - Company accomplishments;
    - Reasons the company is capable of effectively completing the services outlined in the RFP; and
    - All strengths considered to be assets to the company.
  - 6.1.6.2. The vendor should demonstrate the length, depth, and applicability of all prior experience in providing the requested services as well as the skill and experience of staff.



6.1.7. Resume of those key personnel who would be primarily responsible for meeting the terms and conditions of any agreement resulting from this RFP.

6.1.8. Vendor's References

6.1.8.1. The vendor must submit three (3) written references from individuals or organizations who have knowledge of the vendor's capability to deliver services applicable to this RFP. A current OPLC employee will not be considered a valid reference.

6.1.8.2. Each written reference must include current contact information, a description of work performed, quality of work, and dates of performance.

6.1.8.3. The OPLC may contact a reference to clarify any information.

6.1.9. Subcontractor Letters of Commitment (if applicable)

The vendor shall be solely responsible for meeting all requirements and terms and conditions specified in this RFP, its proposal, and any resulting contract, regardless of whether it proposes to use any subcontractors. The vendor and any subcontractors shall commit to the entire contract period stated within the RFP, unless a change of subcontractors is specifically agreed to by the OPLC. All selected Contractor(s) that indicate an intention to subcontract must submit a subcontractor's letter of commitment to the OPLC no later than thirty (30) days from the contract effective date. The OPLC will approve or reject subcontractors for this project and require the Contractor to replace subcontractors found to be unacceptable.

6.1.10. New Hampshire Certificate of Good Standing

The State of New Hampshire requires, as applicable, every Contractor to acquire a Certificate of Good Standing or assurance of obtaining registration with the New Hampshire Office of the Secretary of State in accordance with RSA 5:18-a.

6.1.11. Affiliations – Conflict of Interest

The Proposer must include a statement regarding any and all affiliations that might result in a conflict of interest. Explain the relationship and how the affiliation would not represent a conflict of interest.

6.1.12. Required Attachments

6.1.12.1. The following are required statements that must be included with the Technical Proposal. The vendor must complete the correlating forms found in the RFP Appendices and submit them as the "Required Attachments" section of the Technical Proposal.

- Answers to questions in Section 4.





6.1.12.2. The following are required statements that must be included with the Cost Proposal. The vendor must complete the correlating forms found in the RFP Appendices and submit them as the "Required Attachments" section of the Cost Proposal.

- Licensee Fee Schedules.

## 7. MANDATORY BUSINESS SPECIFICATIONS

### 7.1. Contract Terms, Conditions and Liquidated Damages, Forms

#### 7.1.1. Contract Terms and Conditions

The State of New Hampshire sample contract is attached. The vendor must agree to contractual requirements as set forth in the Appendix A, P-37 General Provisions and Standard Exhibits.

#### 7.1.2. Liquidated Damages

7.1.2.1. The OPLC may negotiate with the awarded vendor to include liquidated damages in the Contract in the event any deliverables are not met.

7.1.2.2. The OPLC and the vendor agree that the actual damages that the OPLC will sustain in the event the vendor fails to maintain the required performance standards throughout the life of the contract will be uncertain in amount and difficult and impracticable to determine. The vendor acknowledges and agrees that any failure to achieve required performance levels by the Contractor will more than likely substantially delay and disrupt the OPLC's operations. Therefore, the parties agree that liquidated damages may be determined as part of the contract specifications.

7.1.2.3. Assessment of liquidated damages may be in addition to, and not in lieu of, such other remedies as may be available to the OPLC. Except and to the extent expressly provided herein, the OPLC shall be entitled to recover liquidated damages applicable to any given incident.

7.1.2.4. The OPLC may determine compliance and assessment of liquidated damages as often as it deems reasonably necessary to ensure required performance standards are met. Amounts due the OPLC as liquidated damages may be deducted by the OPLC from any fees payable to the Contractor and any amount outstanding over and above the amounts deducted from the invoice will be promptly tendered by check from the Contractor to the OPLC.

## 8. ADDITIONAL INFORMATION

### 8.1. Appendix A – Form P-37 General Provisions and Standard Exhibits