



New Hampshire

# Department of Education

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION**

Bureau of Special Education Support  
21 South Fruit Street  
Concord, New Hampshire 03301

October 26, 2021

## **REQUEST FOR PROPOSALS**

**RFP #SPED-2021-01**

### **New Hampshire Deaf Education Scholar**

The New Hampshire Department of Education does not discriminate on the basis of race, color, religion, marital status, national/ethnic origin, age, sex, sexual orientation, or disability in its programs, activities and employment practices. This statement is a reflection of the Department of Education and refers to, but is not limited to, the provisions of the following laws: Title IV, VI and VII of the Civil Rights Act of 1964-race color, national origin, The Age Discrimination in Employment Act of 1967, The Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972 (Title IX)-sex, Section 504 of the Rehabilitation Act of 1973 (Section 504)-disability, The Americans with Disabilities Act of 1990 (ADA)-disability, and NH Law against discrimination (RSA 354-A).

Auxiliary aids and services are available upon request to individuals with disabilities.

## Section 1 – Overview and Schedule

### A. Executive Summary

The New Hampshire State Department of Education (hereafter referred to as Department), Bureau of Special Education Support is seeking proposals from individuals, agencies, or organizations (hereafter referred to as Proposer(s)) to provide a multitude of high-quality professional learning activities to promote inclusionary learning for students with disabilities to meaningfully participate in the regular education environment. Professional development activities and experiences must be aimed to enhance the education for students with disabilities within the general curriculum using researched evidenced-based instructional practices and strategies, combined with the utilization of Individual Education Programs (hereafter referred to as IEPs) to increase academic, behavioral, and social outcomes for the improvement performance in reading, writing, and mathematics.

The Department expects to award a two-year contract, upon Governor & Council approval, to the successful proposer. Unless there is a change in the plan requirements and/or Scope of Work, the cost for the contract shall not exceed the amount \$35,000.00 annually or \$70,000.00 for the two-year period. The Department reserves the right to renew the contract for an additional two (2) fiscal years, not to exceed \$35,000.00 annually or \$70,000.00 for the additional two (2) fiscal years.

All advisory committees are encouraged to distribute this Request for Proposals (hereafter referred to as RFP) to any/all qualified individuals/organizations.

### B. Schedule

The following table provides a Schedule of Events for this RFP through contract finalization and approval. The Agency reserves the right to amend this Schedule at its sole discretion and at any time through a published Addendum.

EVENT	DATE	LOCAL TIME
RFP Released to Proposers (Posted to Department Website & Advertisement)	Week of 11/01/2021	
Proposer Inquiry Period Ends	11/19/2021	3:00pm
Proposers Submit Proposals	11/30/2021	4:00pm

## Section 2 - Description of Agency/Program Issuing the Request for Proposals

The Department of Education, Bureau of Special Education Support is charged with providing oversight and implementation of federal and State laws that ensure a free appropriate public education for all children and youth with disabilities in New Hampshire. Given this charge, the mission is to improve educational outcomes for children and youth with disabilities by providing and promoting leadership, technical assistance and collaboration statewide. Through close coordination with the Department's general curriculum and instruction activities, the Bureau of Special Education Support guides and directs a comprehensive array of statewide educational initiatives.

### **Section 3 – Proposed Scope of Work**

#### **Priority 1:**

Support the NH Department of Education (NHDOE), Bureau of Special Education Support regarding the unique needs of students who are Deaf and Hard of Hearing to provide information to families and schools. The information involves the National Association of State Directors (NASDSE), 2018 Optimizing Outcomes for Students who are Deaf or Hard of Hearing: Educational Services Guidelines; the National Education Accessible Materials Center, and the Universal Design for Learning Framework,

Resources can be reviewed at:

- [NASDSE-Guidelinesbk.pdf \(gallaudet.edu\)](#)
- <http://www.cast.org/>
- [UDL: The UDL Guidelines \(cast.org\)](#)

#### **Priority 2:**

Coordinate with the NHDOE, Bureau of Special Education Support to build and coordinate the New Hampshire Deaf Education Service Guidelines, a virtual platform offering professional learning content and eLearning opportunities to families and educators related to deafness and hard of hearing, serving students from birth through graduation that incorporates information and trainings from national organizations such as:

- Assist the Bureau of Special Education Support to select providers to receive customized professional learning opportunities that support the implementation and scale-up of program and service improvements decision making.
- Support providers with the service options, and tools to encourage ongoing sustainable practices within their own programs to ensure students who are deaf and hard of hearing are engaging, communicating, interacting, and learning using The Deaf Education Services Guidelines.
- Empower/promote active engagement from providers in their participation in the development of sustainable practices across the State as well as promoting/sharing

what they have learned/done in their own programs with other districts/private providers.

- Provide a timeline for each year of the project that includes when goals and objectives will be accomplished, and when all activities will begin and end based on The Deaf Education Services Guidelines. This timeline must include the activities and the resources that will be used to implement them, and the expected outcome(s) of each activity. All documents used in technical assistance activities must be submitted to the Bureau Administrator prior to dissemination. All documents created shall be the property of the Bureau of Special Education Support.
- Design and implement a marketing plan that includes online modules, video shorts and social media that inform the public about specific practices and examples that highlight publicly the application of the Deaf Education Services Guidelines and how they improve outcomes for students who are deaf and hard of hearing and their families.
- The work will utilize in its entirety The Deaf Educational Service Guidelines which includes :

Chapter 1: Essential Principles to Guide the Education of Students who are Deaf and Hard of Hearing

Chapter 2: Foundations of Federal Laws and Practices

Chapter 3: Early Identification and Intervention

Chapter 4: Evaluation and Eligibility

Chapter 5: Goals, Service and Placement

Chapter 6: School Environment Access and Accommodations

Chapter 7: Post-Secondary Transition from Part B to Education, Training, Employment, and Independent Living

Chapter 8: Personnel

Chapter 9: Implementation and Assessment on Guidelines

Appendix A.

- Legal Citations, State and Professional Guidance, National Organizations, Resources

Appendix B.

- CEC-DCDD Teacher Position Statement

Appendix C.

- Service Animals

### **Priority 3:**

Design and coordinate the New Hampshire Teacher of the Deaf and Hard of Hearing Community of Practice, through information resources and facilitate the continued sharing of information

through the existing community of practice, while expanding the reach to all New Hampshire citizens via a multimedia campaign.

**Priority 4:**

Design and coordinate the New Hampshire Educational Sign language Interpreter Recruitment, Assessment and training program including the following:

- Recruit a minimum of ten (10) participants who seek State certification as a New Hampshire Educational Interpreter/Transliterater to serve students who are hearing impaired, deaf, or deaf-blind that require American Sign Language as a means to access education.
- Provide a preliminary summary diagnostic report to the Bureau of Special Education Support, and a prescriptive diagnostic report, for each participant, from initial performance on the Educational Interpreter Performance Assessment (EIPA), prior to training, and a summary report upon completion of the EIPA and training.
- Establish training sites and provide in-person training and, if needed, long distance training to participants in order to achieve a score of 3.5 or higher on the EIPA, for State certification. Provide full access to communication, including interpreting and Computerized Access, Real time Translation (CART), and accommodations to participants during all components of the training.
- Provide in-person training and, if needed, long distance training to participants who require knowledge in the field of education in order to provide services to students who are hearing impaired, deaf, or deaf-blind, given the academic rigor of the general curriculum, and the need to efficiently and effectively work in conjunction and collaborate with teachers and specialists.

**Priority 5:**

Design and Coordinate the New Hampshire Deaf Education Learning Modules that are accessible on the NHDOE website to prepare educators who want to develop critical knowledge and skills in the area of special education, in educating deaf and hard of hearing students, to promote general, bilingual, special and deaf education pedagogy in the following areas of study:

- Language and Literacy Development
- Communication Plan and Special Factors in IDEA
- Teaching Functional Curriculum
- Differentiating Specially Designed Instruction in the Content Areas
- Assessment and placement options under IDEA

**Priority 6:**

Partner with the New Hampshire Parent Information Center and New Hampshire Hands & Voices to develop and conduct five (5) regional meetings about the New Hampshire Deaf Education Family Training Modules, to promote personalized learning and literacy for students who are deaf and hard of hearing.

**Priority 7:**

Coordinate with the New Hampshire Department of Education to host virtual and live events, newsletters and social media opportunities that highlights products for students who are deaf and hard of hearing.

**Priority 8:**

Submit an annual report to the NHDOE, Bureau of Special Education Support that demonstrates the effectiveness of the project in achieving the Purposes and Priorities of this RFP through 1.0 Minimum Requirements and 2.0 Services to be provided including project evaluation, reporting and grant management

**Section 4 – Process for Submitting a Proposal**

**A. Proposal Submission, Deadline, and Location Instructions**

Proposals submitted in response to this RFP must be received by the State Department of Education no later than the time and date specified in the Schedule (hereafter referred to as Schedule). Proposals may be submitted by U.S. Mail, Delivery Service, or In Person. Proposals must be addressed to:

**State of New Hampshire Department of Education  
Bureau of Special Education Support  
Mary Ellen Hamilton  
21 South Fruit Street  
Concord, New Hampshire 03301**

Proposals must be clearly marked as follows:

**STATE OF NEW HAMPSHIRE**

**RESPONSE TO RFP #SPED-2021-01**

**New Hampshire Deaf Education Scholar**

Unless waived as a non-material deviation in accordance with Section 6B, late submissions will not be accepted and will be returned to the proposers unopened. Delivery of the Proposals shall be at the Proposer's expense. The time of receipt shall be considered when a Proposal has been officially documented by the Agency, in accordance with its established policies, as having been received at the location designated above. The Agency accepts no responsibility for mislabeled mail or mail that is not delivered or undeliverable for whatever reason. Any damage that may occur due to shipping shall be the Proposer's responsibility.

All proposals submitted in response to this RFP must consist of:

One (1) original and four (4) clearly identified copies of the proposal, including all required attachments.

Proposers who are ineligible to bid on proposals, bids or quotes issued by the Department of Administrative Services, Division of Procurement and Support Services pursuant to the provisions of RSA 21-I:11-c shall not be considered eligible for an award under this proposal.

## **B. Proposal Inquiries**

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the following RFP designated Points of Contact:

To: [Mary.T.Lane@doe.nh.gov](mailto:Mary.T.Lane@doe.nh.gov)

Cc: [MaryEllen.Hamilton@doe.nh.gov](mailto:MaryEllen.Hamilton@doe.nh.gov)

Inquiries must be received by the Agency's RFP Points of Contact no later than the conclusion of the Proposer Inquiry Period (see Schedule of Events section, herein). Inquiries received later than the conclusion of the Proposer Inquiry Period shall not be considered properly submitted and may not be considered.

The Agency intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section, herein; however, this date is subject to change at the Agency's discretion. The Agency may consolidate and/or paraphrase questions for sufficiency and clarity. The Agency may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Agency.

Official responses by the Agency will be made only in writing by the process described above. Vendors shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

## **C. Restriction of Contact with Agency Employees**

From the date of release of this RFP until an award is made and announced regarding the selection of a Proposer, all communication with personnel employed by or under contract with the Agency regarding this RFP is forbidden unless first approved by the RFP Points of Contact listed in the Proposal Inquiries section, herein. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential contractor during the selection process, unless otherwise authorized by the RFP Points of Contact. Proposers may be disqualified for violating this restriction on communications.

#### **D. Validity of Proposal**

Proposals must be valid for one hundred eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting Contract, whichever is later.

#### **Section 5 - Content and Requirements for a Proposal**

Proposals shall follow the below format and provide the required information set forth below:

5.1 Table of Contents.

5.2 Glossary of Terms.

5.3 Letter of Interest

5.4 Significance of Proposal

5.4.1 Narrative describing the Proposer's capabilities to deliver the services, including a brief description of personal experience and/or agency or organization experience in developing and implementing a program of this type detailed in the Scope of Work set forth set forth in the RFP.

5.4.2 Any product that may demonstrate the proposer's level of expertise including, but not limited to, a list of committees or associations for which the individual, agency, or organization has worked or is affiliated and/or training programs inclusionary practices developed and/or implemented by the Proposer.

5.5 Content Knowledge

5.5.1 A current resume to include, at minimum, professional, volunteer, and educational experience related to the Scope of Work set forth in this RFP, and two (2) references.

5.5.2 Three (3) letters of recommendation.

5.5.3 Narrative detailing knowledge related to federal regulations of IDEA, State Statutes, and the Standards for the Education of Students with Disabilities



governing the delivery of special education services and process, best inclusionary practices that align with the general curriculum in the regular education environment, data collection and analysis, instructional coaching and ability to conduct a multitude of professional development activities to accomplish the Scope of Work set forth set forth in the RFP.

5.6 Technical Skills Narrative detailing Proposer’s abilities using appropriate technology for, at minimum, data collection and analysis, adult learning strategies, effective technical assistance, professional development, instructional coaching facilitation, and communication skills.

5.7 Implementation Plan detailing timelines with milestones or benchmarks to carry out the activities in accordance with the Scope of Work set forth set forth in the RFP.

5.8 Personnel and Partners detailing individuals who will have responsibilities, titles, qualifications and duties, and the amount of time each will devote to the project. Identify key partners, describe their anticipated participation, and provide documentation of their commitment.

5.9 Cost Proposal inclusive of a detailed budget clearly explaining the relationship between the activities and correlating expenditures as described in the Scope of Work set forth set forth in the RFP. Indirect costs may not exceed 8%. Costs may not incur food.

5.10 Each bidder shall submit, along with the formal proposal, a completed/signed “Cover Page” (see Appendix B).

## Section 6 – Evaluation of Proposals

### A. Criteria for Evaluation and Scoring

Each responsive Proposal will be evaluated and considered with regard to the following criteria:

TECHNICAL PROPOSAL CATEGORIES	POINTS
<p><b>Significance of Proposal:</b></p> <p>1. Narrative describing the Proposer’s capabilities to accomplish the Scope of Work including a description of personal experience and/or agency or organization experience in developing and implementing a program of this type detailed in the Scope of Work set forth set forth in the RFP.</p> <p>2. Any product that may demonstrate the proposer’s level of expertise including,</p>	<p><b>20</b></p>

but not limited to, a list of committees or associations for which the individual, agency, or organization has worked or is affiliated and/or training programs inclusionary practices developed and/or implemented by the Proposer.	
<p><b>Content Knowledge:</b></p> <p>1. A current resume` to include, at minimum, professional, volunteer, and educational experience related to the Scope of Work set forth in this RFP, and two (2) references.</p> <p>2. Three (3) letters of recommendation.</p> <p>3. Narrative detailing knowledge related to federal regulations of IDEA, State Statutes, and the Standards for the Education of Students with Disabilities governing the delivery of special education services and process, best inclusionary practices that align with the general curriculum in the regular education environment, data collection and analysis, instructional coaching and ability to conduct a multitude of professional development activities to accomplish the Scope of Work set forth in the RFP.</p>	<b>20</b>
<p><b>Technical Skills:</b> Narrative to include descriptions of technical abilities using appropriate technology for, at minimum, data collection and analysis, adult learning strategies, effective technical assistance, professional development, instructional coaching facilitation, and communication skills.</p>	<b>10</b>
<p><b>Implementation Plan:</b> Work plan to include detailed timeline and milestones or benchmarks to carry out the activities in accordance with the Scope of Work set forth in the RFP.</p>	<b>20</b>
<p><b>Personnel and Partners:</b> Listing of individuals who will have responsibilities, titles, qualifications and duties, and the amount of time each will devote to the project. Identify key partners, describe their anticipated participation, and provide documentation of their commitment.</p>	<b>10</b>
<b>TOTAL TECHNICAL MAXIMUM POINTS AWARDED</b>	<b>80 PTS</b>

<b>PRICE PROPOSAL</b>	<b>POINTS</b>
Detailed budget clearly explaining the relationship between the activities and correlating expenditures as described in the Scope of Work set forth in the RFP. Indirect costs may not exceed 8%. Costs may not incur food.	<b>20</b>
<b>PRICE MAXIMUM POINTS AWARDED</b>	<b>20 PTS</b>

If the Agency, determines to make an award based on these evaluations, the Agency will notify the selected Proposer(s). Should the Agency be unable to reach agreement with the selected Proposer(s) during Contract discussions, the Agency may then undertake Contract discussions with the next preferred Proposer and so on, or the Agency may reject all proposals, cancel this RFP, or solicit new Proposals under a new acquisition process

The Agency will use a scoring scale of 100 points, a maximum of 20 points awarded based on the Price Proposal, a maximum of 80 points awarded for the Technical Proposal, which will be distributed as set forth in the table below.

<b>CATEGORIES</b>	<b>POINTS</b>
TECHNICAL PROPOSAL with the following potential maximum scores for each Technical Proposal category;	<b>80</b>
PRICE PROPOSAL POTENTIAL MAXIMUM POINTS	<b>20</b>
<b>TOTAL POTENTIAL MAXIMUM POINTS AWARDED</b>	<b>100</b>

The Agency will select a Proposer based upon the criteria and standards contained in this RFP and from applying the weighting in this section. Oral interviews and reference checks, to the extent they are utilized by the Agency, will be used to refine and finalize scores.

## **B. Planned Evaluations**

The Agency plans to use the following process:

- Initial screening to ensure that the Proposals are in compliance with submission requirements;
- Preliminary evaluation of the Proposals;
- Oral interviews and Product Demonstrations (if necessary);
- Final Evaluation of Technical Proposals and scoring;
- Final Evaluation of [other categories] and scoring (If Applicable);
- Review of Price Proposals and final scoring;
- Best and Final Offer (BAFO) if appropriate; and
- Select the highest scoring Proposer (s) and begin contract negotiation.

## **C. Initial Screening**

The Agency will conduct an initial screening step to verify Proposer compliance with the technical submission requirements set forth in the RFP and the minimum content set forth in Section 5 of this RFP. The Agency may waive or offer a limited opportunity to cure immaterial deviations from the RFP requirements if it is determined to be in the best interest of the State.

## **D. Preliminary Technical Scoring of Proposals**

The Agency will establish an evaluation team to initially score the Technical Proposals. This

evaluation team will review the technical proposals and give a preliminary score to the technical proposals under the guidelines set forth in Section 6.

### **E. Oral Interviews and Product Demonstrations**

If the Agency determines that it is appropriate, proposers may be invited to oral interviews and/or product demonstrations including demonstrations of any proposed automated systems or technology components. The Agency retains the sole discretion to determine whether to conduct oral interviews, with which proposers; and the number of interviews. Proposers are advised that the Agency may decide to conduct interviews with less than all responsive proposers.

The purpose of oral interviews and product demonstrations is to clarify and expound upon information provided in the written Proposals. Proposers are prohibited from altering the basic substance of their Proposals during the oral interviews and product demonstrations. The Agency may ask the Proposer to provide written clarifications of elements in their Technical Proposal regardless of whether it intends to conduct Oral Interviews.

Information gained from oral interviews and product demonstrations will be used to refine technical review scores assigned from the initial review of the Proposals.

### **F. Final Technical Scoring of Proposals**

Following Oral Interviews, Product Demonstrations, Reference Checks (if appropriate) and/or review of written clarifications of proposals requested by the Agency, the evaluation team will determine a final score for each Technical Proposal.

### **G. Price Proposal Review**

Price proposals will be reviewed upon completion of the final technical scoring of proposals. The Proposer's Price Proposal will be allocated a maximum potential score of 100 points. Proposers are advised that this **is not a low bid award** and that the scoring of the price proposal will be combined with the scoring of the technical proposal to determine the overall highest scoring Proposer.

### **H. No Best and Final Offer**

The Proposal should be submitted initially on the most favorably terms which the proposer can offer. There will be no best and final offer procedure. The Proposer should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some or all of the Proposal.

## **I. Final Selection**

The Agency will conduct a final selection based on the final evaluation of the initial proposals or, if requested, as a result of the Best and Final Offer and begin contract negotiations with the selected Proposer(s).

## **J. Rights of the Agency in Accepting and Evaluating Proposals**

The Agency reserves the right to:

- Make independent investigations in evaluating Proposals;
- Request additional information to clarify elements of a Proposal;
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State;
- Omit any planned evaluation step if, in the Agency's view, the step is not needed;
- At its sole discretion, reject any and all Proposals at any time; and
- Open contract discussions with the second highest scoring Proposer and so on, if the Agency is unable to reach an agreement on Contract terms with the higher scoring Proposer(s).

## **Section 7 – Terms and Conditions Related To The RFP Process**

### **A. RFP Addendum**

The Agency reserves the right to amend this RFP at its discretion, prior to the Proposal submission deadline. In the event of an addendum to this RFP, the Agency, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.

### **B. Non-Collusion**

The Proposer's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and Work quoted have been established without collusion with other Proposers and without effort to preclude the Agency from obtaining the best possible competitive Proposal.

### **C. Property of the Agency**

All material received in response to this RFP shall become the property of the State and will not be returned to the proposer. Upon Contract award, the State reserves the right to use any information presented in any Proposal.

### **D. Confidentiality of a Proposal**

Unless necessary for the approval of a contract, the substance of a proposal must remain

confidential until the Effective Date of any Contract resulting from this RFP. A Proposer's disclosure or distribution of Proposals other than to the Agency will be grounds for disqualification.

## **E. Public Disclosure**

Pursuant to RSA 21-G:37, all responses to this RFP shall be considered confidential until the award of a contract. At the time of receipt of proposals, the Agency 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 Agency will post the name, rank or score of each proposer. In the event that the contract does not require Governor & Executive Council approval, the Agency shall disclose the rank or score of the Proposals at least 5 business days before final approval of the contract.

The content of each Proposer's Proposal shall become public information upon the award of any resulting Contract. Any information submitted as part of a response to this request for proposal (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 (<http://www.nh.gov/transparentnh/>). However, 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. If you believe any information being submitted in response to this request for proposal, bid or information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to the agency, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as "CONFIDENTIAL". A designation by the Proposer of information it believes exempt does not have the effect of making such information exempt. The Agency will determine the information it believes is properly exempted from disclosure. Marking of the entire Proposal or entire sections of the Proposal (e.g. pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Proposer pricing will be subject to disclosure upon approval of the contract. The Agency will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to the Agency to view portions of a Proposal that the Proposer has properly and clearly marked confidential, the Agency will notify the Proposer of the request and of the date the Agency plans to release the records. By submitting a Proposal, Proposers agree that unless the Proposer obtains a court order, at its sole expense, enjoining the release of the requested information, the Agency may release the requested information on the date specified in the Agency's notice without any liability to the Proposers.

## **F. Non-Commitment**

Notwithstanding any other provision of this RFP, this RFP does not commit the Agency to award a Contract. The Agency reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

## **G. Proposal Preparation Cost**

By submitting a Proposal, a Proposer agrees that in no event shall the Agency be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting Contract.

## **H. Ethical Requirements**

From the time this RFP is published until a contract is awarded, no bidder 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 bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any bidder 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 bidding on the RFP, or similar request for submission and every such bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder 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.

## **I. Challenges on Form or Process of the RFP**

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of the Agency at least ten (10) business days prior to the Proposal Submission Deadline. By submitting a proposal, the Proposer is deemed to have waived any challenges to the agency's authority to conduct this procurement and the form and procedures of this RFP.

## **Section 8 – Contract Terms and Award**

### **A. Award**

If the State decides to award a contract as a result of this RFP process, any award is contingent upon approval of the Contract by Governor and Executive Council of the State of New Hampshire and upon continued appropriation of funding for the contract.

### **B. Standard Contract Terms**

The Agency will require the successful bidder to execute a Not to Exceed Contract using the Standard Terms and Conditions of the State of New Hampshire which is attached as Appendix A.

To the extent that a Proposer believes that exceptions to the standard form contract will be necessary for the Proposer to enter into the Agreement, the Proposer should note those issues during the Proposer Inquiry Period. The Agency will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion. If the Agency accepts a Proposer's exception the Agency will, at the conclusion of the inquiry period, provide notice to all potential proposers of the exceptions which have been accepted and indicate that exception is available to all potential proposers. Any exceptions to the standard form contract that are not raised during the proposer inquiry period are waived. In no event is a Proposer to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.

### **C. Reporting**

Monthly Reporting: Reports to be submitted with each invoice requesting payment, will outline activities conducted and how the project met the activities to towards completing the Scope of Work by the 10th of each month.

Mid-Year Report: Report detailing the accomplishments and challenges of the project and strategies for improvement supported by data.

Final Report: The final report will include a comprehensive overview of the entire project. The Final Report will be posted on the Department's website.



## **Appendix A**

## **Appendix B**