



## REQUEST FOR PROPOSALS FOR



Multisector Plan for Aging Community Engagement, Analysis, and Facilitation

RFP-2024-COA-01-MPA

RFP ISSUED:	6/28/2024
STATE POINT of CONTACT:	Rebecca Sky <a href="mailto:rebecca.l.sky@nhcoa.nh.gov">rebecca.l.sky@nhcoa.nh.gov</a> 603-271-0527
CONTRACT TYPE:	Not to Exceed
PROPOSAL DUE:	8/01/2024

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## SECTION 1: PURPOSE AND OVERVIEW

### 1.1. Introduction

The New Hampshire State Commission on Aging (COA) seeks responses to this Request for Proposals (solicitation) from a qualified Vendor to conduct community engagement, analysis, and facilitate a leadership team towards the development of the New Hampshire Multisector Plan for Aging.

The Commission on Aging anticipates awarding one (1) contract for the services in this solicitation.

Given the federal source of funds, the chosen vendor will be required to meet federal compliance and uniform guidance standards.

### 1.2. Key Information

The information in the table below is as anticipated by the Commission on Aging and is subject to change. Agreements are contingent upon the availability of funds, and/or approval by the Governor and Executive Council.

<b>Contract Effective Date</b>	<b>Upon Governor and Executive Council Approval</b>	
<b>Contract End Date</b>	<b>August 31, 2025</b>	
<b>Renewal Options</b>	The Commission may extend contracted services for up to one (1) additional year not to exceed December 31, 2026.	
<b>Funding for the resulting contract is anticipated to be approximately:</b>	<b>\$100,000</b>	
<b>Funding Source</b>	The Commission on Aging anticipates using Federal funds for resulting contract.	
	Assistance Listing #	ARPA SFRF 21.027
	Award Name	American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF)
<b>Point of Contact</b>	Rebecca Sky, Executive Director <a href="mailto:Rebecca.L.Sky@nhcoa.nh.gov">Rebecca.L.Sky@nhcoa.nh.gov</a> 603-271-0527	
From the date of release of this solicitation until an award is made and announced regarding the selection of a Vendor, all communication with personnel employed by or under contract with the Commission on Aging regarding this solicitation is prohibited unless first approved by the Point of Contact listed above. Commission on Aging employees have been directed not to hold conferences and/or discussions concerning this solicitation with any potential contractor during the selection process, unless otherwise authorized by the Point of Contact. Vendors may be disqualified for violating this restriction		

### 1.3. Procurement Timetable

All times are according to Eastern Time. The Commission on Aging reserves the right to modify these dates and times at its sole discretion.		
Item	Action	Date
1	Solicitation Released	6/28/2024
2	Letter of Intent Submission Deadline (optional)	7/05/2024
3	Questions Submission Deadline	7/12/2024
4	COA Response to Questions Published	7/19/2024
5	Vendor Solicitation Response Due Date	8/01/2024
6	Estimated Notification of Selection and Begin Contract Negotiations	8/09/2024

### 1.4. Background

#### 1.4.1 New Hampshire State Commission on Aging

The Commission on Aging was established in 2019 to advise the governor and the general court on policy and planning related to aging. This Mission of the Commission is to be a catalyst for change that values, serves, and celebrates all of us as we grow older. A more age-integrated New Hampshire fostered by forward thinking public policy and initiatives will ensure we can all thrive as we age.

States across the country are developing and implementing Multisector Plans for Aging (MPAs) based on their unique characteristics, history, politics, and existing aging and disability initiatives. An MPA is a 10+ year blueprint for restructuring state and local policies and convening a wide range of cross-sector stakeholders to collaboratively address the needs of older-adult populations.

MPAs are designed to create a coordinated system of high-quality care and support services that promote healthy aging, independent living, and social engagement, while also addressing issues related to healthcare, housing, transportation, and other social determinants of health.

#### 1.4.2 Objective

The New Hampshire State Commission on Aging (COA) seeks a vendor to conduct an intensive multimodal community engagement process, analyze existing state plans and initiatives as they align with stated goals, and facilitate a leadership team towards the development of a New Hampshire Multisector Plan for Aging, branded the AgeWellNH Plan. Community engagement work must engage a diverse range of residents from all 10 New Hampshire counties and include various avenues of engagement such as key informant interviews, statewide surveys (online and paper), focus groups, and the development materials and support for community member-conducted focus groups. The selected vendor will be responsible for designing and executing an inclusive community engagement process. The selected vendor will produce final report of the findings from the community engagement process. In addition, the selected vendor must conduct and write up an analysis of existing related state planning efforts. Finally, the

selected vendor will engage the NH Multisector Plan for Aging (MPA) Facilitation Team to advise the above-mentioned activities and strategize next steps towards the development of the AgeWellNH Plan.

## SECTION 2: STATEMENT OF WORK

### 2.1 Scope of Services

For the Scope of Services identified in 2.1.1 through 2.1.3, the selected Vendor must:

- A. Submit a Work Plan to the Commission within thirty (30) days of the contract Effective Date.
- B. The selected Vendor must implement the Commission on Aging-approved Work Plan by completion of the project.

#### 2.1.1 Community Engagement Activities:

The selected Vendor will conduct community engagement towards the development of the AgeWellNH Plan in consultation with the MPA Facilitation Team:

- 1) **Target Audiences:** The vendor will identify key target audiences and stakeholder groups to engage which may include but are not limited to:
  - Residents and community members – not just older adults as each of us is aging.
  - Local businesses and business associations
  - Nonprofit organizations and community groups
  - Historically underrepresented populations
  - Elected officials and government agencies
- 2) **Community Engagement Activities:** The vendor will develop and conduct a variety of community engagement activities, which may include:
  - Public meetings, polling at community events, workshops, and open houses,
  - Focus groups and stakeholder interviews,
  - Community surveys (online and in-person),
  - Pop-up events in public spaces,
  - Social media and online engagement,
  - Targeted outreach to hard-to-reach populations.
- 3) **Language Access and Inclusion:** All community engagement activities must be inclusive and accessible to people of diverse backgrounds, abilities, and needs. This includes providing translation/interpretation services, materials in multiple languages, accommodations for disabilities, and engagement opportunities at varying times/locations.

- 4) **Promotion and Outreach:** The vendor will develop a robust communications and outreach plan to raise awareness about engagement opportunities and maximize participation from all parts of the community.
- 5) **Data Collection and Analysis:** The vendor will collect, synthesize, and analyze all community input received through the various engagement activities. This will involve developing an effective system for documenting feedback.
- 6) **Reporting and Recommendations:** The vendor will prepare a detailed report that includes:
  - the number, frequency, and reach of community engagement activities implemented, (including an analysis of participation rates across diverse demographic groups,)
  - detailed reporting on responses by segmented populations.
  - summarizes key findings from the community engagement process, highlighting major themes and recommendations that arose from public input.
- 7) **Project Management:** The vendor will be responsible for overall project management, including developing timelines, facilitating the MPA Facilitators Team, coordinating with project partners, securing venues and materials, managing logistics, etc.
- 8) **Deliverables:** The vendor will provide the following deliverables:
  - Community Engagement Plan and Timeline
  - Communications/Outreach Materials
  - Facilitation of All Engagement Activities
  - Database of Community Input Received
  - Final Community Engagement Report and Recommendations

### 2.1.2 Analysis:

The selected vendor must conduct and write up an analysis of existing related state planning efforts.

- 1) **Identify Related Initiatives:** With the MPA Facilitators Team, the vendor will identify related state agency planning initiatives that have goals associated with issues that may be addressed in the AgeWellNH Plan.
- 2) **Data Collection and Analysis:** The vendor will collect, synthesize, and analyze identified plans/initiatives.
- 3) **Reporting, Recommendations, Deliverable:** The vendor will prepare a report that maps the plans/initiatives and summarizes key findings. The report shall include

listing of plans/initiatives, stakeholders involved, brief synopsis of focus areas, key objectives of initiative, key contact for plan/initiative, related funding for implementation if it exists. In addition, the report should include recommendations for incorporation of key elements of these existing efforts into the AgeWellNH Plan.

### 2.1.3 Facilitation and Planning Design:

The selected vendor will engage the NH Multisector Plan for Aging (MPA) Facilitation Team to strategize and design next steps towards the development of the AgeWellNH Plan.

1) **Facilitation:** the selected vendor will:

- Convene the NH MPA Facilitation Team every 2 weeks for the first 2 months of this project, then monthly thereafter.
- Identify best meeting times, develop agendas, and facilitate meetings of the NH MPA Facilitator Team.
- Employ proven facilitation techniques to encourage participation, build consensus, and resolve conflicts.

2) **Documentation and Deliverable:** the selected vendor will:

- Capture and document meeting discussions, decisions, and action items.
- Develop agreement and support to implement community engagement plan.
- Prepare a comprehensive report and presentation to summarize the agreed upon design of a strategic planning process and desired outcomes for an AgeWellNH Plan that will include but is not limited to:
  - a detailed project plan, including framework for final plan
  - project timeline,
  - facilitation approach,
  - engagement plan,
  - deliverables, and
  - cost estimates.

## 2.2 Reporting

### 2.2.1. Work Plan Status Reports

The selected Vendor must provide Work Plan Status Reports to the Commission on Aging on a quarterly basis, and more frequently as requested by the Commission. Work Plan Status Reports must include, but are not limited to:

2.2.1.1. Status of all items included in the Work Plan;

2.2.1.2. Activities and Outreach including number and types of events, numbers of people engaged, and outcomes.

2.2.1.3. Other Progress on Deliverables.

2.2.1.4. Highlights of Community & Stakeholder Feedback.

2.2.1.6. Process and Outcome measures.

In addition, the selected Vendor must provide any additional reporting required by ARPA SFRF.

### 2.2.2 Final Status Report

The selected Vendor must submit a Final Status Report to the Commission on Aging within thirty (30) days of the contract Completion Date. The Final Status Report must be in a format satisfactory to the Commission on Aging and contain a summary of all services provided, goals, objectives and deliverables achieved. It must also include the Reporting in Subsection 2.2.1, which may be subject to change by the Commission on Aging.

### 2.2.3. Collaboration on Development of Reporting

The selected Vendor must work with the Commission on Aging to monitor progress in meeting the Reporting in Subsection 2.2., and deliverables outlined in the Scope of Work in Subsection 2.1. The selected Vendor must work with the Commission on Aging to develop any additional performance measures. The selected Vendor may be required to provide other data and metrics to the Commission in a format specified by the Commission.

## 2.3 Mandatory Questions

In response to this solicitation, Vendors must respond to the Mandatory Questions below in Appendix C, Technical Responses to Questions.

**Q1.** Describe in detail your experience developing and implementing comprehensive community engagement activities for the targeted population and analysis as described in the Scope of Work Subsection 2.1.1. Please include one example of a successful community engagement effort that captures your ability to reach the targeted audiences, and compile and analyze the realized data from effort.

**Q2.** Describe your proposed approach to community engagement for this body of work. Describe your planned methodology for reaching targeted audiences. Describe your proposed process for developing the questions to be answered through the community engagement.

**Q3.** Describe your organization's experience in conducting mapping similar to what is outlined in the scope of work Subsection 2.1.2. Please describe one example of a successful exercise of similar nature. What other strategic plans, needs assessments, and existing data sources do you recommend be included in the analysis? What experience do you have examining information towards making recommendations for systems integration?

**Q4.** Describe your organization's qualifications for providing facilitation and strategic planning for this project. Describe your organization's knowledge and experience in these areas. Please include one example of a successful strategic planning project lead by your organization.

**Q5.** Describe your approach to providing all services in this RFP and provide a proposed Work Plan with a detailed project timeline that includes, but is not limited to:



- a. Milestones marking specific points across the timeline to ensure the project is on schedule. Include delivery dates for reports named as a deliverable in the scope of work.
- b. Steps and resources needed to bring each aspect of the project through from development to completion.
- c. How will you ensure effective coordination, communication, and quality control?
- d. Possible project barriers and constraints, including suggested mitigation strategies for each.

**Q6.** Explain your ability manage this project, providing the requested services. Include your experience working collaboratively with stakeholders, state agencies and/or other organizations to carry out projects of the nature described in the scope of work. Outline your processes for issue resolution, decision-making, and change management, with stakeholders to address any changes or challenges that may arise during the project. Describe your organization's working experience in New Hampshire that would serve to inform this project work.

## 2.4 Finance

### 2.4.1 Budget

The selected Vendor will be required to submit budgets for Commission on Aging approval upon notification of award.

### 2.4.2 Payment

Payment for services will be made monthly based on the approved budgets, which will be included in the resulting contract. The selected Vendor must submit monthly invoices using a form satisfactory to the Commission on Aging, which identifies and requests reimbursement for authorized expenses incurred. The selected Vendor must ensure invoices are completed, dated and submitted to the Commission on Aging to initiate payment.

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## SECTION 3: SOLICITATION RESPONSE EVALUATION

### 3.1 Scorecard

The Commission on Aging will evaluate responses from Vendors based upon the criteria and standards contained in this solicitation and by applying the points set forth below. Vendors are advised that the scoring of the Cost Proposal will be combined with the scoring of the Technical Response to determine the overall highest scoring Vendor.

TECHNICAL RESPONSE	POSSIBLE SCORE
<b>Q1.</b> Experience developing and implementing Community Engagement activities	100
<b>Q2.</b> Approach to community engagement	100
<b>Q3.</b> Experience conducting mapping exercises of plans and initiatives	100
<b>Q4.</b> Facilitation experience and strategic planning background	100
<b>Q5.</b> Workplan	200
<b>Q6.</b> Project Management Experience & Stakeholder management.	100
Technical Response – Total Possible Score	700 Points

COST PROPOSAL	POSSIBLE SCORE
Vendor Budget Narrative Evaluation, including Salary Breakdown (see Section 3.3 below)	150 Points
Total Vendor Cost (see formula below)	150 Points
Cost Proposal – Total Possible Score	300 Points

<b>MAXIMUM POSSIBLE SCORE</b>	1000 Points
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### 3.2 Preliminary Scoring of Technical Responses

The Commission on Aging will establish an evaluation team. This evaluation team will review the Technical Proposals and give a preliminary score. Should a Vendor fail to achieve 350 minimum points in the preliminary scoring, it will receive no further consideration from the evaluation team and the Vendor's Cost Proposal will remain unopened.

### 3.3 Scoring of Cost Proposal

#### 3.3.1 Vendor Budget Narrative Evaluation:

The Vendor must:

- 3.3.1.1. Complete Appendix D, Budget Sheet (w/ Narrative and Salary Breakdown), for each State Fiscal Year (July 1 through June 30).

3.3.1.2. Provide a Budget Narrative that explains the specific line item costs included in the Appendix D, Budget Sheet (w/ Narrative and Salary Breakdown), and their direct relationship to meeting the objectives of this RFP.

### 3.3.2 Vendor Budget Narrative Evaluation

The Vendor Budget Narrative Evaluation will be scored based on the following criteria to evaluate allocation of cost:

0-50	51-100	101-150
Relationship of costs relative to the proposed services is not understood.	Relationship of costs relative to the proposed services is somewhat understood.	Relationship of costs relative to the proposed services is fully understood.
Costs do not directly align with objectives, requirements, and/or proposed services of the RFP.	Costs somewhat align with objectives and proposed services of the RFP.	Costs fully and directly align with objectives and proposed services of the RFP.

Vendor Total Cost: The following formula will be used to assign points for Vendor Cost:

Vendor's Cost Score = (Lowest Total Proposed Cost / Vendor's Total Proposed Cost) x Maximum Number of Points for Vendor Cost.

For the purpose of use of this formula, the lowest proposed cost is defined as the lowest total cost proposed in Appendix D, Budget Sheet by a Vendor that has not been disqualified.

\*For example:

Vendor A proposes \$100,000

Vendor B proposes \$200,000

Maximum Number of Points for Vendor Cost = 150 points.

Vendor B Vendor Cost =  $(\$100,000/\$200,000) \times 150 = 75$  total points.

For the purpose of use of this formula, the lowest proposed cost is defined as the lowest total cost proposed by a Vendor that has not been disqualified and received the minimum points during preliminary scoring of technical responses as specified above.

Fractions of points will be rounded up to the nearest whole number of points.

## SECTION 4: SOLICITATION RESPONSE PROCESS

### 4.1 Letter of Intent

A letter of intent to submit a response to the solicitation is optional.

#### 4.1.2. Benefits of Letter of Intent – Solicitation Updates

Receipt of the Letter of Intent by Commission on Aging will be required to receive electronic notification of any solicitation amendments, in the event such are produced; any further materials on this project, including electronic files containing tables required for response to this solicitation; any addenda, corrections, or schedule modifications; notifications regarding any informational meetings for Vendors; or responses to comments or questions.

#### 4.1.3. Letter of Intent Addressee and Content

The Letter of Intent must be transmitted by email to the Point of Contact identified in Subsection 1.2., and include the name, telephone number, mailing address and email address of the Vendor's designated contact. **Notwithstanding the Letter of Intent, Vendors remain responsible for reviewing the most updated information related to this solicitation before submitting a response.**

## 4.2 Vendor Inquiries

### 4.2.1. Vendors' Questions

4.2.1.1. All questions concerning this RFP including, but not limited to, requests for clarification, additional information, or any changes to the RFP must be made in writing, by email only, citing the RFP page number and part or subpart, and submitted to the Point of Contact:

Rebecca Sky

Email: [Rebecca.L.Sky@nhcoa.nh.gov](mailto:Rebecca.L.Sky@nhcoa.nh.gov)

4.2.1.2. The Commission on Aging 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.

4.2.1.3. The State assumes no liability for assuring accurate/complete Email transmission/receipt and is not required to acknowledge receipt.

4.2.1.4. Questions must be received by the Commission on Aging by the deadline given in Subsection 1.3., Procurement Timetable.

### 4.2.2 Commission on Aging Responses

4.2.2.1. The Commission on Aging intends to issue responses to properly submitted questions by the deadline specified in Subsection 1.3., Procurement Timetable.

4.2.2.2. All oral answers given are non-binding.

4.2.2.3. Written answers to questions received will be posted on the Department of Administrative Services' website at (<https://apps.das.nh.gov/bidscontracts/bids.aspx>). This date may be subject to change at the Commission on Aging's discretion.

### 4.2.3 Exceptions

4.2.3.1. The Commission on Aging 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 Question Period in Subsection 1.3., Vendors may not request exceptions to the Scope of Services or any other sections of this Solicitation.

4.2.3.2. The Commission on Aging will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion in its response to Vendor questions.

4.2.3.3. Any exceptions to the standard form contract and exhibits that are not raised by a Vendor during the 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 Commission on Aging's terms in response to this Solicitation.

### 4.3 Solicitation Amendments

The Commission on Aging reserves the right to amend this Solicitation by publishing any addenda, as it deems appropriate, prior to the Submission Deadline on its own initiative or in response to issues raised through Vendor questions. In the event that an addendum is published, the Commission on Aging, at its sole discretion, may extend the Submission Deadline.

## SECTION 5: PROPOSAL SUBMISSION INSTRUCTIONS

Electronic Submission Timing and Requirements:

### 5.1 Due Date

Electronic Proposals submitted in response to this RFP must be received no later than the time and date specified in the Procurement Timetable in Section 1.3., and in the manner specified, or it may be rejected as non-compliant, unless waived by the Commission on Aging as a non-material deviation.

### 5.2 Late submissions

Late submissions that are not accepted will remain unopened. Delivery of the Proposals shall be the Vendor's responsibility. Disqualified submissions will be discarded.

### 5.3 Delivery Requirements

#### 5.3.1 Address

Electronic Proposals submitted in response to this RFP must be addressed to:  
[Rebecca.L.Sky@nhcoa.nh.gov](mailto:Rebecca.L.Sky@nhcoa.nh.gov)

### 5.3.2 Subject Line

Email subject line for all proposal submissions must be clearly marked as follows:

Subject: RESPONSE TO RFP 2024-COA-1-MULTISECTOR PLAN FOR AGING

### 5.3.3 Maximum File Size

The maximum size of file attachments per email is 25 MB. Submissions with file attachments exceeding 25 MB must be sent via multiple emails.

### 5.3.4 File Formats

All documents received shall be searchable PDF format.

### 5.3.5 Management of Technical Proposal & Cost Proposal

Vendors must submit a separate electronic document for the Technical Response and a separate electronic document for the Cost Proposal, both clearly labeled.

### 5.3.6 Damaged, Mislabeled, or Undeliverable Submissions

The Commission on Aging accepts no responsibility for damaged, mislabeled, or undeliverable mailed or emailed Proposals.

## SECTION 6: SOLICITATION RESPONSE REQUIREMENTS

### 6.1 Must Address Complete Scope of Work

Acceptable solicitation responses must offer all services identified in Section 2 - Statement of Work.

### 6.2 Technical Response Content

Each Technical Response must contain the following, in the order described in this section:

#### 6.2.1. Appendix B – Transmittal Letter and Vendor Information, including:

6.3.1.1. **Vendor Code Number** - Prior to executing any resulting contract, the selected Vendor will be required to provide a vendor code number issued by the State of New Hampshire Department of Administrative Services upon registering as an authorized vendor with the State. Vendors are strongly encourage to provide a vendor code number in the Appendix B if available. More information can be found at: <https://das.nh.gov/purchasing/vendorresources.aspx>

## 6.2.2. Appendix C – Vendor Technical Response to Mandatory Questions

6.2.3. Resumes – Vendors must provide resumes for those key personnel who would be primarily responsible for meeting the terms and conditions of any agreement resulting from this Solicitation. Vendors must redact all personal information from resumes.

## 6.3 Cost Proposal Content

### 6.3.1 Appendix D Budget Sheets & Program Staff List with Anticipated Salary & Wages

Vendors must complete an Appendix D, Budget Sheet(s). A budget sheet, including the Budget Narrative column, must be developed for each State Fiscal Year (July 1 through June 30). One salary and wage breakdown must be completed for each fiscal year.

### 6.3.2 Indirect Expenses

Vendor shall comply with guidelines as set forth by the Uniform Administrative Requirements, Direct and Indirect Costs for Federal Awards, 2 CFR 200.412- 2 CFR 200.415, other than such provisions as the federal administrative authority (Treasury) may determine are inapplicable to this award or the extent to which the award may be subject to such exceptions.

If a vendor has an accepted negotiated indirect cost rate with US Department of Treasury, they may use this rate to determine indirect costs. Any vendor that does not have a current negotiated rate, may elect to charge a de minimis rate of 10% of modified total direct costs. No documentation is required to justify the 10% de minimis indirect cost rate. Costs cannot be charged as both direct and indirect costs.

## SECTION 7: ADDITIONAL TERMS AND REQUIREMENTS

### 7.1 Non-Collusion

The Vendor's required signature on the Appendix B – Transmittal Letter and Vendor Information submitted in response to this solicitation guarantees that the prices, terms and conditions, and services quoted have been established without collusion with other Vendors and without effort to preclude the Commission on Aging from obtaining the best possible competitive solicitation response.

### 7.2 Collaborative Proposal Responses

Proposal responses 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.

### 7.3 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 1.3., or until the Effective Date of any resulting contract, whichever is later.

### 7.4 Debarment

Vendors 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 solicitation.

### 7.5 Property of the NH State Commission on Aging

Any material property submitted and received in response to this solicitation will become the property of the Commission on Aging and will not be returned to the Vendor. The Commission on Aging 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.

### 7.6 Solicitation Response Withdrawal

Prior to the Response Submission Deadline specified in Subsection 1.3., Procurement Timetable, a submitted Letter of Intent or Proposal may be withdrawn by submitting a written request for its withdrawal to the Point of Contact specified in Subsection 1.2.

### 7.7 Confidentiality

Pursuant to RSA 21-G:37, the content of proposals must remain confidential until the Governor and Executive Council have awarded a contract. The Vendor's disclosure or distribution of the contents of its proposal, other than to the Commission on Aging, will be grounds for disqualification at the Commission's sole discretion.

### 7.8 Public Disclosure

7.8.1. The information submitted in response to this solicitation (including all materials submitted in connection with it, such as attachments, exhibits, addenda, and presentations), any resulting contract, and information provided during the contractual relationship may be subject to public disclosure under Right-to-Know laws, including RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this solicitation will be made accessible to the public online via the New Hampshire Secretary of State website (<https://sos.nh.gov/>).

7.8.2. Confidential, commercial, or financial information may be exempt from public disclosure under RSA 91-A:5, IV. If a Vendor believes any information submitted in response to this solicitation should be kept confidential, the Vendor must specifically identify that information where it appears in the submission in a manner that draws attention to the designation and must mark/stamp each page of the materials that the Vendor claims must be exempt from disclosure as "CONFIDENTIAL." Vendors must also provide a letter to the person listed as the point of contact for this solicitation, identifying the specific page number and section of the information considered to be



confidential, commercial, or financial and providing the rationale for each designation. Marking or designating an entire submission, attachment, or section as confidential shall neither be accepted nor honored by the Commission on Aging. Vendors must also provide a separate copy of the full and complete document, fully redacting those portions and shall note on the applicable page or pages that the redacted portion or portions are “confidential.”

**7.8.3.** Submissions which do not conform to these instructions by failing to include a redacted copy (if necessary), by failing to include a letter specifying the rationale for each redaction, by failing to designate the redactions in the manner required by these instructions, or by including redactions which are contrary to these instructions or operative law may be rejected by the Commission on Aging as not conforming to the requirements of the solicitation.

**7.8.4.** Pricing, which includes but is not limited to, the administrative costs and other performance guarantees in responses or any subsequently awarded contract shall be subject to public disclosure regardless of whether it is marked as confidential.

**7.8.5.** Notwithstanding a Vendor’s designations, the Commission on Aging is obligated under the Right-to-Know law to conduct an independent analysis of the confidentiality of the information submitted in response to the solicitation. If a request is made to the Commission on Aging to view or receive copies of any portion of the response that is marked confidential, the Commission on Aging shall first assess what information it is obligated to release. The Commission on Aging will then notify the Vendor that a request has been made, indicate what, if any, information the Commission on Aging has assessed is confidential and will not be released, and specify the planned release date of the remaining portions of the response. To halt the release of information by the Commission on Aging, a Vendor must initiate and provide to the Commission on Aging, prior to the date specified in the notice, a court action in the Superior Court of the State of New Hampshire, at its sole expense, seeking to enjoin the release of the requested information.

**7.8.6.** By submitting a response to this solicitation, Vendors acknowledge and agree that:

7.8.6.1. The Commission on Aging may disclose any and all portions of the response or related materials which are not marked as confidential and/or which have not been specifically explained in the letter to the person identified as the point of contact for this solicitation.

7.8.6.2. The Commission on Aging is not obligated to comply with a Vendor’s designations regarding confidentiality and must conduct an independent analysis to assess the confidentiality of the information submitted.

7.8.6.3. The Commission on Aging may, unless otherwise prohibited by court order, release the information on the date specified in the notice described above without any liability to a Vendor.

## 7.9 Electronic Posting of Solicitation Results and Resulting Contract

7.9.1. At the time of receipt of responses, the Commission on Aging 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 solicitation, the Commission on Aging will post the name, rank or score of each responding Vendor. In the event that the resulting contract does not require Governor & Executive Council (G&C) approval, the Agency will disclose the rank or score at least five (5) business days before final approval of the contract.

7.9.2. Pursuant to RSA 91-A and RSA 9-F:1, the Secretary of State will post to the public any document submitted to G&C for approval, including contracts resulting from this solicitation, and posts those documents on its website (<https://sos.nh.gov/administration/miscellaneous/governor-executive-council/>). By submitting a response to this solicitation, vendors acknowledge and agree that, in accordance with the above mentioned statutes and policies, (and regardless of whether any specific request is made to view any document relating to this solicitation), any contract resulting from this solicitation that is submitted to G&C for approval will be made accessible to the public online.

## 7.10 Non-Commitment

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

## 7.11 Liability

By submitting a proposal, the Vendor agrees that in no event shall the Commission on Aging 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 solicitation response, or for work performed prior to the Effective Date of a resulting contract.

## 7.12 Request for Additional Information or Materials

The Commission on Aging may request any Vendor to provide additional information or materials needed to clarify information presented in the solicitation response. Such a request will be issued in writing and will not provide a Vendor with an opportunity to change, extend, or otherwise amend its solicitation response in intent or substance.

## 7.13 Oral Presentations and Discussions

The Commission on Aging reserves the right to require some or all Vendors to make oral presentations of their solicitation response. The purpose of the oral presentation is to clarify and expound upon information provided in the written solicitation response. Vendors are prohibited from altering the original substance of their solicitation response during the oral presentations. The Commission on Aging will use the information gained from oral presentations to refine the

technical review scores. Any and all costs associated with an oral presentation shall be borne entirely by the Vendor.

## 7.14 Successful Vendor Notice and Contract Negotiations

**7.14.1. Notice:** If a Vendor is selected, the Commission on Aging will send written notification of their selection and the Commission on Aging's desire to enter into contract negotiations. Until the Commission on Aging successfully completes negotiations with the selected Vendor, all submitted solicitation responses remain eligible for selection by the Commission on Aging. In the event contract negotiations are unsuccessful with the selected Vendor, the evaluation team may recommend another Vendor. The Commission on Aging will not contact Vendor that are not initially selected to enter into contract negotiations.

**7.14.2. Related Documents Required:** The selected Vendor will be required to submit the following documents prior to Contract approval:

- a. Certificate of Good Standing obtained by the Secretary of State of New Hampshire.
- b. Certificate of Authority/Vote - The Certificate of Authority/Vote authorizes, by position, a representative(s) of your corporation to enter into an Agreement or amendment with the State of New Hampshire.
- c. Certificate of Insurance - Certificate of Insurance evidencing coverage as required under the Contract, including Workers' Compensation that complies with State of NH RSA 281-A.

**7.14.3. Standard Contract:** The Commission on Aging will require the successful bidder to execute a Not to Exceed Contract. The P-37 State of New Hampshire General Provisions and Exhibits, identified in Appendix I will form the basis of any Contract resulting from this RFP. That P-37 and its Exhibits will also reflect terms required as a result of this contract being federally funded through the American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund (SLFRF).

To the extent that a Vendor believes that exceptions to the standard form Contract will be necessary for the Vendor to enter into the Agreement, the Vendor should note those issues during the Vendor Inquiry Period. The Commission on Aging 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 Commission on Aging accepts a Vendor's exception the Commission will, at the conclusion of the inquiry period, provide notice to all potential Vendors of the exceptions which have been accepted and indicate that exception is available to all potential Vendors. Any exceptions to the standard form contract that are not raised during the Vendor inquiry period are waived. In no event is a Vendor to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.

**7.14.4. Subcontractors:** The chosen vendor shall remain wholly responsible for performance of the entire Contract regardless of whether a Subcontractor is used. The

State will consider the Vendor to be the sole point of contact with regard to all contractual matters, including payment of any and all charges resulting from any Contract.

## 7.15 Scope of Award and Contract Award Notice

7.15.1. The Commission on Aging reserves the right to award a service, part of a service, group of services, or total solicitation response and to reject any and all solicitation responses in whole or in part. A contract award is contingent on approval by the Governor and Executive Council.

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

## 7.16 Site Visits

The Commission on Aging may, at its sole discretion, at any time prior to contract award, conduct a site visit at the Vendor's location or at any other location deemed appropriate by the Commission on Aging, to determine the Vendor's capacity to satisfy the terms of this solicitation. The Commission on Aging 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 solicitation. Any and all costs associated with any site visit or requests for documents shall be borne entirely by the Vendor.

## 7.17 Protest of Intended Award

Any challenge of an award made or otherwise related to this solicitation shall be governed by RSA 21-G:37, and the procedures and terms of this solicitation. The procedure set forth in RSA 21-G:37, IV, shall be the sole remedy available to challenge any award resulting from this solicitation. In the event that any legal action is brought challenging this solicitation 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.

## 7.18 Contingency

Aspects of the award may be contingent upon changes to state or federal laws and regulations. Ethical Requirements From the time this solicitation 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 a solicitation, 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 response to this solicitation, or similar request for submission and every such Vendor shall be disqualified from submitting any solicitation response 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.

## 7.19 Liquidated Damages

The selected Vendor agrees that liquidated damages may be determined by the Commission on Aging as part of the contract specifications, as failure to achieve required performance levels will more than likely substantially delay and disrupt the Commission on Aging's operations.

# SECTION 8: COMPLIANCE

## 8.1 Federal & State Laws, Rules, and Regulations, Policies, & Procedures

The selected Vendor must be in compliance with applicable federal and state laws, rules and regulations, and applicable policies and procedures adopted by the Commission on Aging currently in effect, and as they may be adopted or amended during the contract period.

## 8.2 Contract Monitoring Questionnaire

The selected Vendor may be required to complete a contract monitoring questionnaire, to be provided by the Commission on Aging, to determine risk of noncompliance and appropriate monitoring activities, including, but not limited to: site visits, file reviews, staff training.

## 8.3 Records

### 8.3.1. Storage

The selected Vendor must maintain the following records between the effective date of any contract and the date seven years after the completion date:

8.3.1.1. Books, records, documents and other electronic or physical data evidencing and reflecting all costs and other expenses incurred by the selected Vendor in the performance of the resulting contract, and all income received or collected by the selected Vendor.

8.3.1.2. All records must be maintained in accordance with accounting procedures and practices, which sufficiently and properly reflect all such costs and expenses, and which are acceptable to the Commission on Aging, and to include, without limitation, all ledgers, books, records, and original evidence of costs such as purchase requisitions and orders, vouchers, requisitions for materials, inventories, valuations of in-kind contributions, labor time cards, payrolls, and other records requested or required by the Commission on Aging.

### 8.3.2. Access for Audits

During the term of the resulting contract and the period for retention hereunder, the Commission on Aging, the United States Department of Treasury, and any of their designated representatives shall have access to all reports and records maintained pursuant to the resulting contract for purposes of audit, examination, excerpts and

transcripts. If, upon review of the Final Expenditure Report the Commission on Aging shall disallow any expenses claimed by the selected Vendor as costs hereunder the Commission on Aging shall retain the right, at its discretion, to deduct the amount of such expenses as are disallowed or to recover such sums from the selected Vendor.

## 8.4 Credits and Copyright Ownership

### 8.4.1. Credit

All documents, notices, press releases, research reports and other materials prepared during or resulting from the performance of the services of the resulting Contract must include the following statement, "The preparation of this (report, document etc.) was financed under a Contract with the State of New Hampshire, Commission on Aging, with funds provided in part by the State of New Hampshire and/or such other funding sources as were available or required, e.g., the United States Department of Treasury."

### 8.4.2. Approvals for Dissemination

All written, video and audio materials produced or purchased under the contract must have prior approval from the Commission on Aging before printing, production, distribution or use. The selected Vendor must not reproduce any materials produced under the contract without prior written approval from the Commission on Aging.

### 8.4.3. Copyright

The Commission on Aging will retain copyright ownership for any and all original materials produced, including, but not limited to: Brochures, Resource directories, Protocols, Guidelines, Posters, Databases, Reports.

## 8.5 Website and Social Media

### 8.5.1. NH DoIT website and social media requirements and policies

The selected Vendor must work with the Commission on Aging's Executive Director to ensure that any social media or website designed, created, or managed on behalf of the Commission on Aging meets all Commission on Aging and NH DoIT website and social media requirements and policies. The selected Vendor agrees Protected Health Information (PHI), Personally Identifiable Information (PII), or other Confidential Information solicited either by social media or the website that is maintained, stored or captured must not be further disclosed unless expressly provided in the Contract. The solicitation or disclosure of PHI, PII, or other Confidential Information is subject to the terms of the State of New Hampshire's Information Security Requirements Exhibit, the State of New Hampshire's Business Associate Agreement and all applicable State and federal law, rules, and agreements. Unless specifically required by the Contract and unless clear notice is provided to users of the website or social media, the Contractor agrees that site visitation must not be tracked, disclosed or used for website or social media analytics or marketing.

### 8.5.2. State of New Hampshire's Website Copyright

All right, title and interest in the State WWW site, including copyright to all Data and information, shall remain with the State of New Hampshire. The State of New

Hampshire shall also retain all right, title and interest in any user interfaces and computer instructions embedded within the WWW pages. All WWW pages and any other Data or information shall, where applicable, display the State of New Hampshire's copyright.

## 8.6 Audit Requirements

8.6.1. The selected vendor must comply with all requirements applicable to contracts issued under New Hampshire State Government and the federal grant award as set forth by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200, other than such provisions as the federal administrative authority (Treasury) may determine are inapplicable to this award or the extent to which the award may be subject to such exceptions.

8.6.2. In addition to, and not in any way in limitation of obligations of the resulting Contract, it is understood and agreed by the selected Vendor that the selected Vendor shall be held liable for any state or federal audit exceptions and shall return to the Commission on Aging all payments made under the resulting Contract to which exception has been taken, or which have been disallowed because of such an exception.

## SECTION 9: APPENDICIES TO THIS SOLICITATION

9.1 Appendix A – Form P-37 General Provisions and Standard Exhibits

9.2 Appendix B – Transmittal Letter and Vendor Information

9.3 Appendix C – Technical Response to Questions

9.4 Appendix D – Budget Sheet (w/ Narrative and Salary Breakdown)

9.5 Appendix E – Submission Checklist