

State of Wisconsin
DOA-3261 (R05/2014)
s.16.75, Wis. Statutes

PROPOSALS MUST BE SEALED & ADDRESSED TO:

AGENCY ADDRESS:

REQUEST FOR PROPOSAL
THIS IS NOT AN ORDER

PROPOSER (Name and Address)

Remove from list for this commodity/service. (Return this page only.)

Proposal must be plainly marked in lower corner with due date and Request for Proposal # **S-1387 DMS-23**. Proposals MUST be received on or before the due date and time indicated in the Proposal Procedure and Instructions Section. When submitting an electronic copy via eSupplier, the date stamp for eSupplier Proposal Submittal is the submittal date and time applied by the eSupplier system at the time of submission and serves as documentation of a timely submittal. Late proposals will be rejected. Proposals must be submitted in accordance with the instructions indicated in the Proposal Procedure and Instructions Section. Records will be available for public inspection after issuance of the notice of intent to award or the award of the contract. Proposals shall be firm for acceptance for sixty (60) days from date of proposal opening, unless otherwise noted. The attached terms and conditions apply to any subsequent award.

Proposals MUST be in this office no later than

July 11, 2024

Name (Contact for further information)

Alexander Sos, E-mail: DHSProcurement@dhs.wisconsin.gov

Date

May 06, 2024

Public Opening

No Public Opening

Description

DEPARTMENT OF HEALTH SERVICES
REQUEST FOR PROPOSAL
S-1387 DMS-23
User Acceptance Testing Services
Event Number: 13249

- We claim minority bidder preference [Wis. Stats. s. 16.75(3m)(b)(3)]. Under Wisconsin Statutes, a 5% preference may be granted to CERTIFIED Minority Business Enterprises. Bidder must be certified by the Wisconsin Supplier Diversity Program. If you have questions concerning the certification process, contact the Wisconsin Supplier Diversity Program, 6th Floor, 101 E. Wilson Ave., Madison, Wisconsin 53703, (608) 267-9550. **Does Not Apply to Printing Bids.**
- We claim disabled veteran owned business bidder preference [Wis. Stats. s. 16.75(3m)(b)(3)]. Under Wisconsin Statutes, a 5% preference may be granted to CERTIFIED Disabled Veteran Owned Businesses. Bidder must be certified by the Wisconsin Supplier Diversity Program. If you have questions concerning the certification process, contact the Wisconsin Supplier Diversity Program, 6th Floor, 101 E. Wilson St., Madison, Wisconsin 53703, (608) 267-9550. **Does Not Apply to Printing Bids.**
- We are a work center certified under Wis. Stats. s. 16.752 employing persons with severe disabilities. Questions concerning the certification process should be addressed to the Work Center Program, State Bureau of Procurement, 6th Floor, 101 E. Wilson St., Madison, Wisconsin 53702, (608) 266-5462.

In signing this proposal we also certify that we have not, either directly or indirectly, entered into any agreement or participated in any collusion or otherwise taken any action in restraint of free competition; that no attempt has been made to induce any other person or firm to submit or not to submit a proposal; that this proposal has been independently arrived at without collusion with any other proposer, competitor or potential competitor; that this proposal has not been knowingly disclosed prior to the opening of proposals to any other proposer or competitor; that the above statement is accurate under penalty of perjury.

We will comply with all terms, conditions and specifications required by the state in this Request for Proposal and all terms of our proposal.

Name of Authorized Company Representative (Type or Print)	Title	Phone	Fax
Signature of Above	Date	Email:	

This form can be made available in alternate formats to individuals with disabilities upon request.

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ATTACHMENTS TO THIS SOLICITATION:

- Attachment A – Price Workbook
- Attachment B – Vendor Checklist
- Attachment C – Vendor Questions
- Attachment D – Contract for Services
- Attachment E – Bidder Required Form
- Exhibit I – Service Level Agreements

DEFINITIONS

For the purposes of this Request for Proposal and resulting Contract(s), the following definitions of terms shall apply, unless otherwise indicated.

Agency, Department, or DHS:	The Wisconsin Department of Health Services.
Authorized Users:	Any State Agency, University of Wisconsin campus, or other state or local public body authorized to use statewide contracts, as established in §§ 16.70 (1b), (1e), (2), (4) and (8), 16.73 and 66.0301 of the Wisconsin Statutes and § PRO-502 of the State Procurement Manual.
Contract or Agreement:	The written agreement between the successful Vendor and the State covering the goods and services to be performed pursuant to this RFP.
Contract Administrator:	The DHS employee responsible for the implementation, administration, and completion of the Contract.

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Contract Manager:	The DHS employee responsible for oversight of the implementation, administration, and completion of the Contract.
Day:	A calendar day, unless specifically identified as a business day.
Department:	The “Department” referenced in this document is the Department of Health Services.
Disabled Veteran-Owned Business Enterprise (DVB):	A business that has been certified by the Wisconsin Department of Administration Supplier Diversity Program as a Disabled Veteran-Owned Business Enterprise.
Minority Business Enterprise (MBE):	A business that has been certified by the Wisconsin Department of Administration Supplier Diversity Program as a Minority Business Enterprise under Comm. §§ 105.14, 105.21, or 105.23
Municipality:	Any county, city, village, town, school district, board of school directors, sewer district, drainage district, vocational, technical, and adult education district, or any other public body having the authority to award public contracts (§ 16.70(8), Wis.Stats.).
Procurement Manager:	The Procuring Agency’s procurement specialist or other person responsible for overseeing and administering the procurement process for a Proposal.
Procuring Agency:	The Wisconsin Department of Health Services (DHS).
Responsible	A Proposer who has furnished information and data to prove that the financial resources, service, facilities, personnel, service reputation, and experience are adequate to make satisfactory delivery of such Services and Deliverables set forth in the RFP.
Responsive	A proposal that conforms in all material respects to the requirements set forth in the RFP.
RFP:	A Request for Proposal.
State:	The State of Wisconsin.
Subcontractor:	Subcontractor means a person or company that assumes by secondary contract some or all of the obligations of an original contractor.
Supplier:	The word “Supplier” shall herein have the same meaning and be equivalent to the word “Contractor” as defined within this document.
User Acceptance Testing (UAT)	User Acceptance Testing (UAT) is the process of a user or client testing software to verify that it is free of defects, meets business requirements, and will provide the anticipated experience for end users. This testing confirms that the software is ready for deployment and is the last stage of testing after the functional, system, and regression tests have been completed.
Vendor:	The word “Vendor” shall herein have the same meaning and be equivalent to the word “Contractor” as defined within this document.

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1 INTRODUCTION AND PURPOSE

1.1 Purpose and Scope of the Request for Proposal

The Wisconsin Department of Health Services (DHS) is seeking proposals for User Acceptance Testing (UAT) Services and intends to use the results of this process to award a Contract.

A Vendor is needed to screen, hire, and onboard sufficient support staff or independent contractors to provide the services ("UAT Staff"), and to provide oversight and guidance related to manual and automated testing. DHS will supply hardware which connects to its trusted network through Virtual Private Network (VPN). Vendor staff will be required to obtain a DHS employee Identification (ID) number, comply with DHS security policies, standards, guidelines, and sign our user agreements and Non-Disclosure Agreements (NDA's). Personal information including home address and Social Security Number (SSN) are required to obtain a DHS employee ID number. The Vendor will provide hardware for staff who do not connect to DHS's trusted network. The Vendor is accountable to returning DHS assets to DHS. To ensure quality services, the Vendor will be evaluated on specific experience providing systems testers, the demonstration of the Vendor's ability to onboard staff resources, and their internal quality assurance processes and methodology.

The Department of Health Services does not guarantee to purchase any specific quantity or pay any minimum Contract price during the term of the Contract Proposal that requires a minimum number of commodities or services be ordered. Contract Proposals with required minimums will be disqualified.

1.2 Background/History

DHS is required to perform UAT services in connection with the State of Wisconsin's Medicaid Enterprise Systems (MES). MES Enhancements require extensive testing to ensure they are functioning as designed. These testing services are primarily utilized by the Bureau of Systems Management in the Division of Medicaid Services (DMS); however, they may be used by other Bureaus within DMS. DMS needs for UAT testing are in significant excess to the State of Wisconsin's current staffing. A Vendor is needed to screen, hire, and onboard sufficient support staff or independent contractors to provide the services ("UAT Staff"), as well as to provide oversight and guidance related to manual and automated testing.

1.3 Contract Term

The Contract shall be effective on the date indicated on the execution date of the accompanying Contract and shall run for THREE (3) YEARS from that date, with an option by mutual agreement of the agency and the Vendor, to renew for three additional ONE (1) YEAR renewals.

Any Contract resulting from this solicitation shall not be, in whole or in part, subcontracted, assigned, or otherwise transferred to any other Vendor without prior written approval from the Department.

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1.4 Number of Contracts

It is the intention of the Department to award a SINGLE Contract for the services required in this solicitation. However, the Supplier(s) shall not have exclusive rights to provide all services covered under the Contract during the term of the Contract(s) or any extension thereof.

1.5 Procurement Manager

All communication and/or questions on all matters regarding this Proposal must be made in writing and refer to Request for Proposal number RFP#S-1387 DMS-23 and be directed to the DHS Procurement Manager: Alexander Sos at DHSProcurement@dhs.wisconsin.gov.

Any contact or communication with any employee or officer of the State of Wisconsin concerning this RFP except the Procurement Manager is strictly prohibited from the date this RFP is released until the date the notice of intent to award is issued. The Procurement Manager may authorize in writing contact or communication with another State employee or officer as circumstances dictate. Vendors who hold a current Contract with DHS may continue to communicate with the appropriate Contract Administrator regarding the performance of that current Contract.

1.6 Supplier Registration

Registration on the State of Wisconsin's eSupplier System <https://eSupplier.wi.gov> is available free of charge to all businesses and organizations. By registering on eSupplier, a Vendor may register for a Vendor's list for any commodity or service the Vendor is interested in providing to the State. The eVendor System also provides automatic email notification each time a State Agency, including the University of Wisconsin System campuses, posts an RFP with an estimated value over \$50,000 in their designated commodity and/or service area(s). Only registered Vendors with a valid email address at the time an RFP is posted will receive email notifications of amendments. Vendors who obtain the RFP from a third party, through the State of Wisconsin Public Notices website, or by any other means assume the responsibility for checking for updates to the RFP on the eSupplier System.

1.7 Reasonable Accommodations

DHS can provide reasonable accommodations, including the provision of informational material in an alternative format for qualified individuals with disabilities upon request. If a Vendor needs accommodations at the outset of this solicitation process, please contact the Procurement Manager.

1.8 Other Eligible Parties

Wisconsin Statutes §16.73 establishes authority to allow Wisconsin Municipalities to purchase from State contracts. This gives Vendors the opportunity for additional sales without additional bidding, while assisting Municipalities with expedited purchases.

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For the purposes of this solicitation, participation in Wisconsin's cooperative purchasing service is:

MANDATORY: Vendors must agree to furnish the commodities or services of this Bid/Proposal to Wisconsin municipalities. Vendors should note any special conditions on form [DOA – 3333](#).

OPTIONAL: Vendors may or may not agree to furnish the commodities or services of this Bid/Proposal to Wisconsin municipalities. A Vendor's decision on participating in this service has no effect on awarding this Contract. Vendors should indicate their decision on form [DOA – 3333](#).

In addition to Wisconsin's cooperative purchasing service, this Contract may be utilized by other Wisconsin State agencies, Managed Care Organizations, and non-profit organizations specifically linked by their missions to DHS.

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2 MANDATORY REQUIREMENTS (1 PAGE MAXIMUM)

All Vendor qualifications in this section are mandatory. Failure to meet a qualification will disqualify your Proposal. However, DHS reserves the right to waive any qualification if no Vendor can satisfy that qualification.

Before the award of any Contract, the Department shall be satisfied that the Vendor has sufficient qualified resources available for performing the work described in this Proposal. It is the Vendor's responsibility to acquaint the Department with these qualifications by submitting appropriate or supporting documentation.

Instructions: Vendors shall respond to the following Minimum Mandatory Requirements (MMR).

MMR1: Vendor is not the current Vendor for Wisconsin-utilized systems: Medicaid Management Information System (MMIS), Enterprise Data Warehouse/Data Analytics and Reporting (EDW/DAR), Wisconsin Self-Directed IT System (WISITS), Client Assistance for Re-employment and Economic Support System (CARES), or Enterprise Project Management Office (EPMO) to ensure independence of testing from other systems work.

Identify if your organization provides services under any of the contracts in MMR1. If your organization does not, then provide a statement certifying as such.

3 VENDOR QUALIFICATIONS

This section of the solicitation contains prompts that the vendor shall answer to demonstrate their qualifications for the services being solicited.

Instructions: Using the sections below, provide specific details of the qualifications held by the vendor. Responses in this section must be highly focused on the information being requested and not generic or marketing descriptions of capabilities.

Vendors shall respond to each numbered section and shall format their responses in numerical order with the section number preceding the associated response.

VQ1 – Vendor Experience: Describe your organization's experience in providing systems testing and quality assurance services, specifically within the healthcare industry and/or with Medicaid Enterprise Systems. Provide specific examples of at least three engagements with positive results and outcomes and include the client's contact information. Preference will be given to vendors who demonstrate previous experience with Medicaid Enterprise Systems.

VQ2 - Application Lifecycle Management: Describe your staff's experience with Atlassian Jira, the primary Application Lifecycle Management (ALM) software used to support testing done by the Department. Preference will be given to vendors that provide specific examples of experience using Atlassian Jira ALM software in previous State/Client engagements.

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VQ3: Software Development Life Cycle: Demonstrate your organization's knowledge of Software Development Life Cycle processes and software testing best practices. Include specific examples of experience with the Software Development Life Cycle in previous State/Client engagements with positive results/outcomes.

4 PROGRAM REQUIREMENTS

This section of the solicitation contains an overview and description of the DHS objectives and requirements, categorized by process areas. The Vendor is required to provide narrative responses in this section, outlining the specifics of how their proposed solution will meet the associated objectives and requirements.

Instructions: Using the sections below, provide specific details of the proposed approach to meeting the objectives and functional requirements in each process area. Responses in this section must be highly focused on the DHS requirements and not generic or marketing descriptions of capabilities. Responses should be comprehensive and contain details of the full solution being proposed.

Requirements are included and each numbered as **(R – 00X)**.

Vendors shall respond to each numbered Vendor Response **(VR - 00X)** and shall format their responses in numerical order with the section number preceding the associated response.

4.1 Staffing

R – 001: The Vendor's staffing solution will only include staff located in the contiguous United States.

VR – 001: Staff Location: Describe the vendor's approach to ensuring the UAT testers and support staff work in the contiguous United States.

R – 002: The Vendor shall provide an individual in a Lead Staff role responsible for day-to-day management, coordination with DHS, and testing. This is a full-time employee (FTE), and time that is not spent on lead activities is required to be spent on UAT testing. The Individual Lead Staff is responsible for coordination with DHS, day-to-day management of UAT testers, and UAT testing. The responsibilities include but are not limited to being able to redirect questions for other support staff, intake and initiate requests for additional testers or tester changes, ensure tester time logging is accurate, assist on contract issues, oversee quality of work, track and report on testing progress, and coaching.

VR – 002: Individual Lead Staff Experience: Demonstrate that your employed individual has experience managing testing staff, and experience UAT testing in Medicaid Systems. Preference will be given if the vendor also demonstrates the Lead Staff has experience managing testing staff in multiple previous engagements.

VR – 002.1: Individual Lead Staff Approach: Describe the approach to providing a lead staff individual. The approach should address how the responsibilities in R – 002 will be met. Provide specific examples of the described approach in previous engagements with positive outcomes.

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R – 003: The vendor shall scale up and down the number of UAT staff upon request by DHS. In alignment with DHS’s own internal staffing policies, DHS has the ability to end individual UAT staffing assignments.

VR – 003: Flexibility and Availability (Ongoing UAT Staff): Explain your organization’s ability to be flexible in providing the services described in this RFP, including your capacity to quickly scale up or down the number of UAT Staff as needed and your availability to coordinate with systems vendors.

- Demonstrate your organization’s ability to identify and onboard staff resources in a timely fashion. Completed onboarding is having the UAT tester ready to start work for DHS. DHS onboarding may take place after the one-month of onboarding by the vendor.
- Describe how your organization will identify and onboard staff within one month of request and provide specific examples in previous State/Client engagements.
- Preference will be given to vendors who can complete these steps in under one month.

VR – 003.1: Initial UAT Staff: Address the approach and ability for your organization to hire several UAT Staff in a brief amount of time. Specifically, DHS will need UAT Staff as soon as possible after the start of the contract, with preference for UAT Staff availability immediately following the contract signing. Demonstrate how long it will take your organization to have at least 7 UAT Staff ready once the contract starts. These 7 staff do not represent a core team or the guarantee of having work for 7 testers through the life of the contract. Include specific examples of UAT Staff hired in a short time, and examples of UAT Staff available for an engagement day one of the contract.

R – 004: The vendor shall screen, hire, onboard testers. As part of onboarding the vendor will be required to conduct background checks on all staff.

VR – 004: Recruitment: Describe your organization’s approach to recruitment and staffing of support staff or independent contractors to provide the Services (“UAT Staff”). This approach should address screening, hiring, and onboarding. Provide specific examples of providing UAT staff with experience testing Medicaid systems in State or Client engagements with positive outcomes and results. Preference will be given to vendors who have an approach to hiring UAT Staff with experience testing Medicaid systems.

R- 005: The vendor is responsible for offboarding, including recovering and returning assets to DHS.

VR - 005: Onboarding/Offboarding: Describe how you onboard and off board personnel including, but not limited to:

- Describe any agreements staff and / or subcontractors are required to sign and when during the hiring or onboarding process they are required to sign?
- Describe the process to notify DHS in the event a staff resource is terminated. Include the timeline for notification process for recovering state owned devices.

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- Describe how DHS assets will be recovered and returned to DHS. In accordance with Article 22, Attachment D – Contract for Services.

R - 006: The vendor shall provide testers at the following tiers:

Tier/Tester 1: Testing that is highly complex/extensive background is required for successful completion. The tester will be assigned to Tier/Tester 1 with 5+ years of experience testing healthcare information systems or software. Examples of testing include but are not limited to: Testing of claims processing, testing of data interfaces, financial systems, testing of mainframe workflows. Development and maintenance of automated testing scripts.

Tier/Tester 2: Testing that is moderately complex/moderate background is required for successful completion. The tester will be assigned to Tier/Tester 2 with 2+ to 5 years of experience testing healthcare information systems or software. Examples of testing include but are not limited to: Testing of mobile application functions, testing of applicant processing and renewals, testing of data analytics and reporting.

Tier/Tester 3: Testing that is minimally complex/minimal background is required for successful completion. The tester will be assigned to Tier/Tester 3 with 0-2 years of experience testing healthcare information systems or software. Examples of testing include but are not limited to: Testing of user interface updates including modernization, testing of superficial updates to systems (panel updates, changes to look and feel, changes to correspondence).

The tester tier is determined by years of experience, or at the sole exception at DHS if an exception is granted.

VR – 006: UAT Staff Tiered Structure: Describe your approach to providing UAT Staff based on the levels of testing complexity needs listed in Requirement – 007. Preference will be given to vendors who can demonstrate experience providing testers for tiered complexity levels in prior engagements.

R – 007: Vendor is responsible for oversight and management of staff who will in turn provide testing services for the Department.

VR – 007: Management: Describe the approach to Management of the UAT Testers and support staff. This description should address quality oversight of the staff. Include specific examples of the approach being used in previous State/Client engagements with positive outcomes/results. Preference will be given to vendors that demonstrate an approach that limits dependencies on State Staff.

R – 008: DHS will solely define priority of systems projects. Vendor shall develop UAT Staff's work plan, processes, and assignments, based on DHS defined priorities and with DHS oversight at DHS's sole discretion. The Lead Staff will manage its UAT Staff's workload and provide weekly status reports on UAT Staff's progress to DHS. The UAT testing parameters will be developed under DHS management's supervision, and Vendor will direct any testing that will be performed by Vendor.

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VR – 08: Work Plan: Describe the approach to developing work plan, processes, and assignments. Include specific examples of the development with positive results and outcomes in previous State/Client engagements. Preference will be given to vendors that describe methods to limit dependencies on State Staff.

R – 009: UAT staff must be available at a minimum 9am - 3pm Central Time (CT), and 7am – 6pm CT upon DHS request. Payment will be based on actual hours, with the expectation for 40-hour work weeks. Any time over 40 hours per week or working on legal holidays, or weekends must require approval from DHS.

VR – 09: Staff Availability: Describe experience and the ability to work within the above timing parameters. Preference will be given to vendors that include in the approach the methods of ensuring UAT staff are available and held accountable for a required availability time period.

4.2 Administration

R – 010: The vendor must maintain an established quality management process.

VR – 010: Quality Assurance Plan: Describe your company's internal quality assurance processes and procedures to ensure the highest level of service is provided. Provide specific examples of the internal quality assurance processes being used in previous State/Client engagements with positive outcomes/results.

R – 011: Vendor must coordinate with other systems vendors and monitor system release schedules.

VR – 011: Approach and Methodology: Describe your approach to coordinating with systems vendors, and monitoring systems release schedules. Include your methodology for developing test cases among multiple Medicaid Enterprise Systems and advising vendors on improving regression testing. Provide specific examples of the approach being used in previous State/Client engagements with positive outcomes and results.

R - 012: Within 3 months of access to the systems the Vendor shall complete an assessment of the current state of testing tools and use of automated testing by other vendors engaged with DHS. This includes the four primary systems or the systems replacing the services at a later date: Medicaid Management Information System (MMIS), Enterprise Data Warehouse/Data Analytics and Reporting (EDW/DAR), Wisconsin Self-Directed IT System (WISITS), Client Assistance for Re-employment and Economic Support System (CARES).

VR – 012: Automated Testing Assessment: Describe the approach to providing an assessment of the current state of testing tools and the use of automated testing by vendors, and providing recommendations based on that assessment. Include your organization's experience working with vendors to assess the state of testing tools by other vendors. Preference will be given to vendors that provide specific examples of an assessment of testing tools in a previous State/Client engagement.

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4.3 Contract Requirements

R – 013: Vendor must not be a Vendor for the following Wisconsin-utilized systems: Medicaid Management Information System (MMIS), Enterprise Data Warehouse/Data Analytics and Reporting (EDW/DAR), Wisconsin Self-Directed IT System (WISITS), Client Assistance for Re-employment and Economic Support System (CARES), or Enterprise Project Management Office (EPMO) to ensure independence of testing from other systems work.

R – 014: The Vendor shall track, and report hours spent on each project in separate categories as directed by DHS to support accurate invoicing and future project planning. Inclusion of other hours for any other purpose not directly providing services to DHS is not permitted and shall not be billed to DHS.

R – 015: The Vendor shall correct and reissue invoices within twenty (20) business days of DHS notification of necessary correction. The Vendor shall maintain a 100% accuracy rate on all invoices submitted to DHS.

R – 016: The Supplier shall at all times comply with and observe all federal, state, and local laws, ordinances, regulations, and DHS work rules that are in effect during the term of this Contract that may affect the Supplier's work or obligations hereunder. The Supplier shall be solely responsible for its actions and those of its agents, employees, or Subcontractors.

R - 017: The Supplier will ensure that all workforce members and subcontractors that have access to protected health information/confidential data sign and comply with a Business Associate Agreement (BAA), which contains all requirements mandated by the BAA on file between the Supplier and DHS and comply with HIPAA regulations for such agreements. Further, the Supplier will ensure that all individuals having access to the confidential data will agree in writing to abide by State and Federal rules and policies related to confidentiality at the time of hire and annually.

4.4 Project Example Prompt

There will be testing needed on a variety of changing projects. For the following example, describe the approach the Vendor would take to provide testing services. This approach should include the number of UAT staff on the project. This example is for evaluation's sake, and the actual testing needs will differ.

VR-013: Project Example: The following information describes an example MES project that requires UAT testing. Using only the information provided below, describe the vendor's staffing and testing plan for the UAT testing phase only. Include number of testing staff, and a detailed explanation of how you arrived at that staffing level. Preference will be given to vendors that provide supporting rationale for their staffing plan and take all project details into account, and to vendors who display an efficient use of resources.

- Project Title: Project Example A.

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- Project Description: This project will automate the financial management processes that are used to generate payments to Project Program Stakeholders. This project will impact 5 separate subsystems in the Medicaid Management Information System. The project does not involve integrations with other Medicaid Enterprise Systems.
- The construction phase of the project is scheduled to last 16 weeks. The systems vendor testing team will spend 8 weeks testing and plans to complete 70 complex test scenarios. The total project forecast, accounting for all stages of the project lifecycle, is 18,000 hours.
- Project requirements will be finalized in advance of the UAT testing phase. Testers will have access to these requirements, as well as other approved project deliverables, to assist with test case development.
- Project UAT Timeline: 6 weeks are scheduled for execution of UAT testing in the project schedule. All UAT test cases need to be completed by the end of the 6-week testing phase. All defects found during UAT testing will be resolved according to the systems vendor's contractual obligations.
- The only testing that needs to be accounted for in this plan is User Acceptance Testing. The systems vendor staff will perform all other necessary testing activities.

4.5 System Requirements

R – 018: The Vendor shall ensure all hardware and software utilized by contractors and sub-contractors is maintained and kept up to date according to [NIST SP 800-40 Rev. 4](#) and [NIST SP 800-53 Rev. 5](#) Moderate baseline or current versions.

VR – 014: [NIST SP 800-40 Rev. 4](#): Demonstrate the approach to adhering to NIST SP 800-40 Rev. 4 or the current version and provide specific examples of the approach in prior engagements.

VR – 014.1: Information Security: Explain the security training policy and procedures in place that meet NIST 800-53 Rev 5 Moderate baseline or the current version. Include in the response:

- How and when do new employees receive security awareness training?
- With what frequency do they receive refresher training?
- Are training records kept for five years?

R – 019: The Vendor shall ensure to report and respond to security incidents appropriately.

VR – 015: Security Incidents: Explain how the Vendor reports and responds to incidents. Include in response:

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- Incident Response services provided by the Vendor;
- Access to audit logs;
- How DHS obtains audit logs; and
- How does vendor communicate and coordinate with DHS Computer Security Incident Response Team?

R – 020:The Vendor shall have a resource available to respond to security questions, security incidents, and engage with the DHS Security Team when necessary. This resource does not need to be a DHS-exclusively dedicated resource.

VR – 016: Security Resource: Explain how DHS can connect with the Vendor's security resource. For example, single point of contact and contact information, shared email address or distribution list, or online service request / ticket submission.

R – 021:The Vendor shall ensure that all artifacts collected, and work products created, including drafts, as part of the resulting Contract shall remain property of DHS. This includes but is not limited to centrally storing documents in a location designated or agreed upon by DHS, version control of documents, standardized naming convention.

VR – 017: Artifacts Collected: Explain how the Vendor will ensure any artifacts collected and work products created, including drafts, remain the property of DHS. Include in response:

- Suggested file structure layout for storage;
- Version control handling;
- Standardized naming conventions; and
- Internal training and processes to ensure requirement is met.

R - 022: The Vendor staff maintain technical and physical safeguards, including remote work, to safeguard Protected Health Information (PHI), Personally Identifiable Information (PII), or other information entrusted to the Vendor.

VR – 018: Technical and Physical Safeguards: Describe process, procedures, and solution to maintain technical and physical safeguards, including remote work. Additionally, describe the security framework used to establish policies and standards.

R - 023: All Data, including personnel or resource management data, must be stored in the contiguous United States.

R – 024: The Supplier shall maintain technical and physical safeguards, including remote work, to safeguard Protected Health Information (PHI), Personally Identifiable Information (PII), or other information entrusted to the Vendor.

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R – 025: The Supplier shall ensure all hardware used by contractors and sub-contractors to provide UAT services utilizes full disk encryption with pre-boot authentication. Any testers accessing the DHS’s trusted network will be provided hardware by DHS.

R – 026: The Supplier will adhere to applicable record disposition authority (RDA) as prescribed by DHS.

R - 027: Vendor may not keep any testing-specific data outside of the DHS system. Personnel, or resource management data does not apply. The intent of this RFP is not to have a vendor operated or owned data storage procedure.

5 SUPPLIER DIVERSITY (SCORED)

State agencies attempt to ensure that 5% of the total amount expended in state purchasing in each fiscal year is paid to Minority Business Enterprise and that 1% is paid to Disabled Veteran Business (DVB). To enable this goal, the state includes section 5.0 in this RFP to assess proposer’s efforts toward increasing MBE and DVB opportunities.

All Supplier diversity in this section are minimal qualifications. All vendor responses in Section 5.0 will be scored using a scale of 0-5, with 5 being the highest. In the event no Vendor is able to meet an individual minimal requirement, the Department reserves the right to eliminate that requirement.

Before the award of any contract, the Department shall be satisfied that the vendor has sufficient qualified resources available for performing the work described in this proposal. It is the vendor’s responsibility to acquaint the Department with these qualifications by submitting appropriate or supporting documentation.

5.1 Efforts to Engage MBEs and DVBs

Describe how your organization may partner with a diverse Supplier(s) that will participate in this contract? Include a description of the work related in this contract that the MBE/DBV will perform.

5.2 Chief Diversity Officer

Does your organization employ a Chief Diversity Officer, or similar senior leader, who is responsible for developing, managing, and promoting the organization’s diversity, equity, and inclusion (DEI) efforts? Include in the vendor response, details about the role of the position and outcomes that has resulted from this position in the vendor’s organization. Include in the vendor response the title used by your organization for the DEI role and any outcomes that have resulted from the DEI position in the vendor’s organization.

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5.3 Reporting

Does your organization routinely report spend with MBE/DBV Suppliers? In the vendor response, provide details of the frequency and details of the reporting process.

5.4 Promoting the Use of MBEs and DVBs

Does your organization provide an immersive, formal program to promote the use of MBEs/DBVs as Suppliers? If yes, describe the program and/or process that supports this effort.

6 CONTRACT TERMS AND CONDITIONS

Herein referenced and attached as part of this RFP is a copy of the Contract with standard terms and conditions. (Attachment D – Contract for Services). **Do not sign or return a copy of this with your proposal.** The Department reserves the right to negotiate the following terms and conditions when it is in the best interest of the State to do so. Vendors may not submit their own Contract document as a substitute for the State’s terms and conditions.

Vendors must accept all terms and conditions in the State’s Contract document or submit point-by-point exceptions with proposed alternative or additional language for each point. The State may accept, modify, or reject any of the Vendor’s suggested revisions. Any changes or amendments to any of the terms and conditions will occur only if the change is in the best interest of the State. Pricing submitted should assume that no changes to these terms and conditions will be accepted.

If a Contract document is executed because of this procurement, additional terms and conditions may be contained in that document and negotiated at that time.

7 PROPOSAL PROCEDURE AND INSTRUCTIONS

7.1 Calendar of Events

Listed below are dates and times of actions related to this solicitation. The events with specific dates must be completed as indicated unless otherwise amended by the State. If the State finds it necessary to change any of the specific dates and times in the calendar of events listed below, it will do so by issuing an amendment to this solicitation. There may or may not be a formal notification issued for changes in the estimated dates and times.

Date	Event
May 06, 2024	Date of issue of the solicitation - Posted to eSupplier Portal

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Date	Event
May 13, 2024	Intent to Respond
May 22, 2024 @ 2PM CDT	Written Questions Due
May 31, 2024 - <i>Estimated</i>	Responses to Questions Posted on eSupplier Portal - <i>Estimated</i>
July 11, 2024 @ 2PM CDT	Proposals Due - late submissions will not be accepted
December 3, 2024 - <i>Estimated</i>	Notification of Intent to Award - <i>Estimated</i>
June 25, 2025 - <i>Estimated</i>	Contract Start Date - <i>Estimated</i>

7.2 Intent to Respond

The Vendor must submit a letter via email to the Procurement Manager indicating their intent to submit a response to this solicitation by the Intent to Respond Date specified in section 7.1. See Section 1.5 for contact information.

7.3 Vendor Questions and Clarifications

Vendors are expected to raise any questions, exceptions, or additions they have concerning the RFP document by the Question Due Date specified in section 7.1. Questions must be submitted to the Procurement Manager in writing using the Questions Template provided in Attachment C.

If at any time prior to the due date, a Vendor discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this RFP, the Vendor must immediately notify the Procurement Manager of the issue in writing and request modification or clarification of the RFP document.

If it becomes necessary to provide additional clarifying data or information, or to revise any part of this RFP, supplements or revisions will be posted on the eSupplier Portal (<https://eSupplier.wi.gov>).

7.4 Proposal Response Organization, Content, and Formatting

7.4.1 Proposal Response Organization and Content

Vendor's response must contain all required documentation organized and labeled in the sections and order described in Attachment B, the Vendor Checklist. Use folders to separate sections for digital copies as explained in Attachment B.

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Elaborate submissions (e.g., extensive artwork, illustrations, advanced modeling techniques, promotional statements) beyond what is sufficient to present a complete and effective Vendor submission are neither necessary nor desired. Audio and/or videotapes are not allowed.

No mention of the content of Vendor's price proposal is permissible in the response to any other section of this Request for Proposal other than in the price proposal itself.

7.4.2 Format of Proposal Response

- a) The responses should be formatted and submitted in an 8.5 x 11 format. Font size and style throughout the Proposal must be 12-point font or greater except for any diagrams, footnotes, resumes (if requested), and page headers and footers.
- b) The Proposal should be well organized and through-numbered with each page clearly marked with a page number, the name of the responding Vendor, and the solicitation number S-1387 DMS-23.
- c) "Through-numbered" for purposes of this solicitation means Folder/Tabs 1 through 4 use one set of numbers. For example, if Folder/Tab 2 is comprised of 14 pages, Folder/Tab 3 starts with page number 15.
- d) **Total page count for Folder/Tab 1 may not exceed 1 page. Total page count for Folder/Tab 2 may not exceed 100 pages.** One page is defined as any proposal material appearing on one side of an 8.5 x 11 sheet. The Table of Contents, unnumbered blank pages, and tab dividers without proposal information are not included in the page count for Folder/Tab 2. **Pages in excess of this page limit will not be evaluated.**
- e) Do not restate prompts, requirements, and/or other RFP text. Instead, cite relevant RFP sections as needed. Where requested, Table of Contents should include bookmark links if so directed in Attachment B.
- f) All digital copies should be in color and in a searchable Word, Excel, or PDF format.
- g) The State reserves the right to disqualify any proposals that do not follow the required formatting.

7.5 Use of Subcontractor(s)

Vendors must identify any potential Subcontractor(s) in their Proposal in the performance of the Contract. The resulting Contract will be between DHS and the awarded Supplier. The Supplier will be responsible for its Subcontractor's performance of the pertinent Contract obligations and ensure Subcontractor(s) abide by all terms and conditions of the RFP and resulting Contract. All Subcontractor(s) must be approved in writing by the Department.

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7.6 eSupplier Proposal Submittal

Vendors should use the eSupplier System (<https://eSupplier.wi.gov>) to respond to this solicitation. The eSupplier Sourcing Event number for this solicitation is **13249**.

When submitting an electronic copy via eSupplier, the date stamp for eSupplier Proposal Submittal is the submittal date and time applied by the eSupplier system at the time of submission and serves as documentation of a timely submittal. Vendors should allow ample time to enter their eSupplier response.

Please Note: When all responses to event sections have been entered and saved, click the **Submit** button to send your response to the State. Click **Submit** on the pop-up window to confirm. You should receive a confirmation message that it has been submitted.

The awarded Vendor may be required to provide all digital submittals in Word, Excel or other mutually agreeable format if requested by DHS.

7.6.1 eSupplier Proposal Submission

Proposer must follow instructions in response to all Response Sections. This will include both a complete technical response, as well as a redacted response with all confidential information excluded. DHS may additionally require financial statements. If required, these will be a separate Response Section from the technical requirements.

7.6.2 eSupplier Price Proposal

The Price Proposal must be completed in full and uploaded to the eSupplier system in response to the appropriate Response Section. Completion of the Price Proposal is mandatory. Vendors may not alter or add to the Worksheet in any manner. Prices submitted shall be in U.S. dollars.

It is the sole responsibility of the Proposer to ensure that all mathematical calculations are correct and that the total price worksheet proved accurately reflects prices. Estimated proposal prices are not acceptable.

All pricing must remain firm for the initial term of the contract. Exceptions to this would include increases in discounts and/or reductions in pricing.

Inclusion of the price information in any part of the response to the RFP is prohibited. Further instructions for entering price data are included in the worksheets.

7.6.3 eSupplier Multiple Proposals

Multiple Proposals from a single Vendor will be permissible; however, each Proposal must conform fully to the requirements for response.

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To submit multiple proposals via eSupplier, you must create an additional Bidder ID, using a different email address for each proposal. More information can be found on the eSupplier Portal [Responding to an Event](#).

7.6.4 eSupplier Modifying a Proposal

Bidders may modify a submitted proposal response if the modifications are made prior to the due date and time. Please see [Responding to an Event](#) for detailed instructions on modifying a previously submitted proposal.

7.6.5 eSupplier Withdrawal of Proposals

Proposals shall be irrevocable until Contract award unless the Proposal is withdrawn. Vendors may withdraw a response at any time up to the Proposal closing date and time.

The Withdraw button on the Bidder Home Page “My Responses” should be active for any event before the event due date. If you are electing to withdraw before the due date, you can do so, but withdrawing completely means you will not be considered at all for the event as you cannot re-submit a response. If you intend to withdraw your proposal the Procurement Manager must additionally be notified in writing of the withdrawal.

7.7 Alternative Proposal Submittals

Email proposal submittal(s) are also allowed in lieu of an eSupplier response to sourcing events. However, the State of Wisconsin and DHS have no liability for any error(s) made in inputting or processing any information from such vendor(s) who used a submittal method other than eSupplier. (e.g., State employees entering proposal information into the State’s procurement system as a proxy for such vendor(s)). If a vendor(s) is unable to submit their proposal response via eSupplier or email, please contact the Procurement Manager listed in RFP Section 1.5 at least five (5) calendar days before the proposal due date and time that is specified in this RFP.

7.7.1 Email Submittal of Proposals

If a Vendor(s) is submitting their proposal(s) through alternative options such as email, the submittal must include all required documentation, organization and be named as detailed on Attachment B – Checklist and:

1. A Complete Proposal Response with Proprietary Information Included
2. A Complete Proposal Response with Proprietary Information Excluded

If the submission is too large of a file to submit via email, the required files may be submitted via multiple emails that clearly identify the vendor(s) and their proposal(s) response.

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All proposal(s) MUST be received no later than the submission due date and time which is specified in this RFP. The timestamp on the email as it is received by DHS will be the submittal time. **Proposal(s) received after the submittal time will be considered late and rejected.**

7.8 Method of Proposal

Attachment A contains the Price Proposal for this solicitation and must be completed in full and returned at the time of Proposal. Vendors may not alter the Price Proposal in any manner. **Alternate pricing formats will not be accepted and may result in disqualification of the Proposal.**

Pricing submitted must include all costs to furnish the services included in the Proposal, in accordance with the terms and conditions of this RFP, including labor, travel, and insurance. The following additional costs or fees are not allowed in any Proposal:

- Delivery location fees
- Small Order/Minimum Order fees
- Special Order fees
- Purchasing Card (P-Card) related charges
- Return/Restocking fees

All prices must be quoted in U.S. Dollars.

7.9 Multiple Proposals

Multiple Proposals from a single Vendor will be permissible; however, each Proposal must conform fully to the requirements for response. Each such Proposal must be separately submitted and should be labeled as Proposal #1, Proposal #2, etc., on each page included in the response.

7.10 Incurring Costs

The State of Wisconsin is not liable for any cost incurred by Vendors in replying to this solicitation.

7.11 Withdrawal of Proposals

Proposals shall be irrevocable until Contract award unless the Proposal is withdrawn. Vendors may withdraw a response at any time up to the Proposal closing date and time. To accomplish this, the written request must be signed by an authorized representative of the Vendor and submitted to the Procurement Manager. If a previously submitted response is withdrawn before the deadline for Proposal, the Vendor may submit another response at any time up to the Proposal closing date and time.

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8 SELECTION AND AWARD PROCESS

8.1 Preliminary Review and Acceptance of Proposal

All Proposals will be reviewed by the Procurement Manager to ensure compliance with submittal requirements. DHS shall be the sole judge as to Vendors' compliance with the Proposal instructions.

Proposals that do not comply with Vendor Qualifications or Mandatory Specifications **will be** disqualified. Proposals that do not comply with Contract Terms and Conditions **may** be disqualified. DHS in its sole discretion retains the right to accept or reject any or all Proposals, or accept or reject any part of a Proposal, if deemed to be in the best interest of the State.

8.2 Evaluation Criteria

Proposals will be scored using the following criteria:

Solicitation Section	Points	Percentage
Prompts	4,970	71%
UAT Tester Price	1,400	20%
Fixed Assessment Price	350	5%
References	210	3%
Diversity	70	1%
Total	7,000	100%

8.3 Method of Award

Proposals accepted through the preliminary review process will be evaluated by a committee and scored against established evaluation criteria. Scores will be given in accordance with the points referenced in section 8.2. Award(s) will be made on the basis of the highest point score received by a responsive, responsible Vendor.

State of Wisconsin certified MBE and DVB Vendors may receive up to a 5% preference on their Proposal. See Sections 8.7.1 and 0 for more information.

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8.4 Right to Reject Proposals

DHS reserves the right to reject any and all proposals and may negotiate the terms of the Contract, including the award amount, with the selected Vendor prior to entering into a Contract. If Contract negotiations cannot be concluded successfully with the highest scoring Vendor, DHS may negotiate a Contract with the next highest scoring Vendor.

8.5 Best and Final Offer (BAFO)

After the initial scoring of the proposals, the highest scoring Vendors may receive requests to provide a best and final offer (BAFO). BAFOs can be related to either the price proposal, technical proposal, or both and will be evaluated against the original criteria by the evaluation committee. The BAFO scores will be used to adjust the points given, and the award will be granted to the highest scoring Vendor.

Vendors should **NOT** assume that the BAFO process will be used when submitting their initial proposals.

8.6 Vendor References

The proposal response must include a completed Bidder Reference Form located in Section 3 of the Bidder Required Form ([DOA-3832](#)) listing at least three (3) names or companies with whom the Vendor has done business similar in size and scope as required by this RFP.

If there is any concern of a reference not completing the reference, include more than three that can be contacted as a backup. Only three will be used in scoring, if four are provided only responses from the first three contacted will be used. The three references the vendor provides will be asked to respond to questions that will be included in the scoring.

DHS will determine which, if any, references to contact and reserves the right to exclude a Vendor from further consideration at any point during the solicitation process should DHS determine that one or more references are unsatisfactory, inadequate, or inappropriate.

8.7 Supplier Diversity

8.7.1 Minority-Owned Business Enterprise

Minority-Owned Business Enterprises (MBE) are certified by the Wisconsin Department of Administration (DOA). This program can be found at: <http://www.doa.wi.gov/Divisions/Enterprise-Operations/Supplier-Diversity-Program>. The State of Wisconsin is committed to the promotion of MBEs in the State's purchasing program. Wisconsin statutes provide for a permissive 5% price preference for certified MBEs that compete for State contracts. This means that State Agencies may make an award to the MBE submitting a qualified proposal when that qualified proposal is not more than 5% in difference from the highest point scoring proposal. A MBE preference will not be considered on a printing or

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stationery procurement. Policy provides that MBEs should have the maximum opportunity to participate in the performance of its Contracts. The Contractor is strongly urged to use due diligence to further this policy by awarding Subcontracts to MBEs or by using such enterprises to provide goods and services incidental to this Agreement.

The Contractor shall furnish appropriate quarterly information about its efforts to subcontract with MBEs including the identities of such businesses certified by the Wisconsin Supplier Diversity Program, their contract amount, and spend for each period to DHS. A listing of certified MBEs, as well as the services and goods they provide, is available at <https://wisdp.wi.gov/search.aspx>.

In accordance with WI Stats. Ch. 16.75 (3m), after completion of this contract, the Contractor shall report to DHS any amount of this contract that was subcontracted to DOA certified MBEs.

DHS shall have the right to request any information regarding the use of subcontractors including, but not limited to, MBEs. The Contractor shall provide any such information as requested by DHS and within a time period specified by DHS.

8.7.2 Disabled Veteran-Owned Business

Disabled Veteran-Owned Businesses (DVBs) are certified by the Wisconsin Department of Administration. This program can be found at: <http://www.doa.wi.gov/Divisions/Enterprise-Operations/Supplier-Diversity-Program>. The State of Wisconsin is committed to the promotion of DVBs in the State's purchasing program. Wisconsin statutes provide for a permissive 5% price preference for certified DVBs that compete for State contracts. This means that State agencies may make an award to the DVB submitting a qualified proposal when that qualified proposal is not more than 5% in difference from the highest point scoring proposal. A preference will not be considered on a printing or stationery procurement. Policy provides that DVBs should have the maximum opportunity to participate in the performance of its Contracts. The Contractor is strongly urged to use due diligence to further this policy by awarding Subcontracts to DVBs or by using such enterprises to provide goods and services incidental to this Agreement.

The Contractor shall furnish appropriate quarterly information about its efforts to subcontract with DVBs, including the identities of such businesses certified by the Wisconsin Supplier Diversity Program, their contract amount, and spend for each period to DHS. A listing of certified DVBs, as well as the services and goods they provide, is available at: <https://wisdp.wi.gov/search.aspx>.

In accordance with WI Stats. Ch. 16.75 (3m), after completion of this contract, the Contractor shall report to DHS any amount of this contract that was subcontracted to DVBs.

DHS shall have the right to request any information regarding the use of subcontractors including, but not limited to, DVBs. The Contractor shall provide any such information as requested by DHS and within a time period that is specified by DHS.

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8.7.3 Veteran-Owned Business

The State of Wisconsin encourages the participation of veteran-owned businesses (VBs) in the statewide purchasing program by inviting VBs to actively solicit public purchasing business and by reducing undue impediments to such participation. VBs are certified by the Department of Veterans Affairs (DVA). Applicants must complete a Veteran-owned Business Request for Certification form (WDVA 1037). Contact the DVA at: <http://dva.state.wi.us/Pages/home.aspx>. There is no price preference for certified VBs that compete for State contracts.

8.7.4 Woman-Owned Business Enterprise

Woman-owned business enterprises (WBEs) are certified by the Wisconsin Department of Administration. This program can be found at: <http://www.doa.wi.gov/Divisions/Enterprise-Operations/Supplier-Diversity-Program>.

State certified WBEs are able to provide both governmental entities and private companies with a credible recognition of the business' ownership. The WBE certification may serve as an additional marketing tool when seeking contract opportunities with entities that place a value on having a diverse Supplier base. There is no price preference for certified WBEs that compete for State contracts. A listing of certified WBEs, as well as the services and commodities they provide, is available at: <https://wisdp.wi.gov/search.aspx>.

8.8 Intent to Award Notification

All Vendors who respond to this solicitation will be notified in writing of the Department's intent to award the Contract as a result of this RFP.

8.9 Protest and Appeals Process

The protest and appeals process applies to Requests for Proposals for services that result in a Contract greater than \$50,000. Any protest of this solicitation or intent to award must be made in writing and based on an alleged violation of a Wisconsin State Statute or a provision of the Wisconsin Administrative Code.

The **Notice of Intent to Protest** must be filed in writing and received no later than five (5) business days after the Notice of Intent to Award is issued.

The **actual Protest** must be filed in writing and received within ten (10) business days after the Notice of Intent to Award is issued.

Protest documents must be sent via email to the DHS Secretary with a copy to the DHS Director of Bureau of Procurement and Contracting at the following addresses:

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To:

Secretary's Office

dhssecretaryoffice@dhs.wisconsin.gov

Copy to:

Director, Bureau of Procurement and Contracting

jude.juarez@dhs.wisconsin.gov

8.9.1 Appeals

The decision of the DHS Secretary may be appealed to the Department of Administration (DOA) within five (5) business days of issuance. Appeals must be made in writing and as specific as possible.

Appeals documents must be sent via email to the DOA Secretary with a copy to the DHS Director of Bureau of Procurement and Contracting at the following addresses:

To:

Secretary's Office

DOASecretaryoffice@wi.gov

Copy to:

Director, Bureau of Procurement and Contracting

jude.juarez@dhs.wisconsin.gov

9 TAB 6: REQUIRED FORMS AND ADDITIONAL DOCUMENTATION

The following section contains forms and additional documentation pertaining to this RFP that must be submitted at the time of Proposal.

9.1 Required Forms

Attachment B contains a list of forms that must be submitted as a part of the Proposal response. Links to each form are provided within Attachment B.

9.2 Disclosure Statements

Any Vendor other than a political subdivision of the State must include a written statement with their Proposal that discloses and provides relevant information on any of the following conditions should they exist:

- A. An officer or an employee of the contracting or procuring agency or his or her immediate family owns or controls, directly or indirectly, any equity, or is associated with the Vendor.
- B. The Vendor currently employs, or has offered or agreed to employ, any person who is or has been an officer or employee of the contracting or procuring agency within the 12-month period preceding the solicitation.

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- C. The Vendor has a contract for materials, supplies, equipment, or contractual services with the contracting or procuring agency or provides or anticipates providing materials, supplies, equipment, or contractual services during the term of the Contract to, a person or organization that is regulated by, or receives State funds from, the contracting or procuring agency.
- D. Any administrative action or lawsuit, threatened or pending, that involves:
 - i. A financial matter that could significantly affect the organization's solvency or financial ability to successfully perform under this Contract.
 - ii. A matter that has been or would be brought against the organization as a party to a Contract by another party to that Contract.
 - iii. A licensing or regulatory matter that would affect the organization's credentials or ability to perform under this Contract.
- E. Any past Contract actions brought against the organization for breach of Contract, or any Contracts that were terminated because of the organization's breach or financial instability within the last ten (10) years.

If none of the above conditions exist, the Vendor must include a written statement to that effect.

If the Vendor is a subsidiary, this information must also be submitted for all parent companies. If the Vendor will use Subcontractors, associated companies, or others to complete the work of the project, the Vendor's responses must include pertinent Subcontractor information.

9.3 Financial Statements

Vendors and Subcontractors will substantiate their financial stability. Independently audited financial statements for the last three (3) completed fiscal years, along with additional supporting documentation (Income Statement, Statement of Cash Flows, Balance Sheet, and Statement of Change in Financial Position along with all auditors' notes) must be submitted with the Proposal response. If the Vendor is a subsidiary, the parent company must be identified, and the consolidated audited financial statements of the parent company must be submitted. The State may request reports on financial stability from independent financial rating services to substantiate the Vendor's stability. Vendor name is to be included on each page submitted.

If no audit was required, please explain why, and submit two (2) years of financial statements.