

State of Minnesota

Department of Public Safety Bureau of Criminal Apprehension



REQUEST FOR PROPOSAL

The Bureau of Criminal Apprehension Educators Master Contract Program

SWIFT Event 2000018642

Date Posted: **September 9, 2026**

If you responded to a previous RFP for the BCA Educators Master Contract Program and are currently under contract with the BCA you do not need to respond to this RFP

- Responses must be received not later than 4:00 P.M., Central Time **October 5, 2026**
- Late responses will not be considered.
- As of July 1, 2025, certain terms are unenforceable in state contracts. See Session Laws, 2025 Regular Session, [Chapter 39](#), Article 2, Sec. 45.

Minnesota's Commitment to Diversity and Inclusion

The State of Minnesota is committed to diversity and inclusion in its public procurement process. The goal is to ensure that those providing goods and services to the State are representative of our Minnesota communities and include businesses owned by minorities, women, veterans, and those with substantial physical disabilities. Creating broader opportunities for historically under-represented groups provides for additional options and greater competition in the marketplace, creates stronger relationships and engagement within our communities, and fosters economic development and equality.

To further this commitment, the Department of Administration operates a program for Minnesota-based small businesses owned by minorities, women, veterans, and those with substantial physical disabilities. For additional information on this program, or to determine eligibility, please call 651-296-2600 or go to the Office of Equity in Procurement home page, at www.mn.gov/admin/oep.

SPECIAL NOTICE: This is a request for proposal. It does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest.

This Solicitation requires proposals to be submitted through the SWIFT Supplier Portal. Please note the security changes below that may impact responders from submitting a timely response.

SWIFT SUPPLIER PORTAL SECURITY CHANGES

There are new security measures that the Minnesota Management and Budget implemented on October 16, 2022. It is a new multi-factor authentication (MFA) to enhance the security of the [State of Minnesota Supplier Portal](#). MFA is an authentication method that requires bidders and suppliers provide two verification factors to log into the SWIFT Supplier Portal. The goal of MFA is to create a layered defense that makes it more difficult for unauthorized system access to occur.

For information about these changes, please refer to the [SWIFT Supplier Portal Multi-Factor Authentication FAQ](#) document.

If you have not done so already, please make sure to log into the SWIFT Supplier Portal as soon as possible to get this authentication set up early so there are no issues when submitting a response to an RFP.

You are strongly encouraged to set your MFA during business hours of 8:00 A.M. to 4:00 P.M., Central Time, Monday through Friday. You may experience delay setting your MFA after hours.

TABLE OF CONTENTS

Solicitation Content

SECTION 1 – INSTRUCTIONS TO RESPONDERS	4
SECTION 2 – SUMMARY OF SCOPE	5
SECTION 3 – PROPOSAL INSTRUCTIONS AND ADDITIONAL INFORMATION	9
SECTION 4 – PROPOSAL CONTENT	10
SECTION 5 – EVALUATION PROCEDURE AND CRITERIA	12
SECTION 6 – SOLICITATION TERMS	13

Solicitation Attachments

- Attachment A: Responder Declarations
- Attachment B: Exceptions to State's Terms and Conditions
- Attachment C: Cost Detail
- Attachment D: Responder Forms
 - Workforce and Equal Pay Declaration Page
- Attachment E: Sample Submission for Section 4, Proposal Content Items 2 & 3
 - Sample Submission #1 (tied to specific course)
 - Sample Submission #2 (not tied to specific course)

Sample Contract

- Exhibit A: Contract Terms
- Exhibit B: Insurance Requirements
- Exhibit C: Specifications, Duties, and Scope of Work
- Exhibit D: Pricing
- Exhibit E: Sample Work Order Contract

SECTION 1 – INSTRUCTIONS TO RESPONDERS

Steps for Completing Your Response	Follow the steps below to complete your response to this Solicitation: Step 1: Read the solicitation documents and ask questions, if any Step 2: Write your response Step 3: Submit your response
Incomplete Submittals	A response must be submitted along with any required additional documents. Incomplete responses that materially deviate from the required format and content may be rejected.

STEP 1 – READ THE SOLICITATION DOCUMENT & ASK QUESTIONS, IF ANY

How to Ask Questions	The contact person for questions (unless changed in an addendum) is: Ashley Scharffbillig, DPS Contract Coordinator (or his successor) Department of Public Safety Email address: ashley.scharffbillig@state.mn.us Email subject line: The Bureau of Criminal Apprehension Educators Master Program Questions must be emailed to the contact person no later than 4:00 p.m. Central Time on September 23, 2026. The State will not respond to questions submitted by fax or telephone calls. Other personnel, regardless of position, are not authorized to answer questions regarding this solicitation. All questions will be answered in an addendum to this solicitation. The Q&A addendum will be issued no later 4:00 p.m. Central Time on September 25, 2026.
----------------------	---

STEP 2 – WRITE YOUR RESPONSE

The Response Content section is in this link to [Section 4](#). Prepare a written response and supply all requested content. Responses should address the requested information and documents detailed in Section 4. **DO NOT INCLUDE** Non-Public/Trade Secret data (as defined in this link to [Minn. Stat. § 13.37](#)).

Review, sign, and include the Responder Declarations with your response.

STEP 3 –SUBMIT YOUR RESPONSE

Where to Send Your Response	All responses to this solicitation (termed an “Event” within SWIFT) must be submitted through SWIFT using the Supplier portal (https://mn.gov/supplier). Training and documentation on how to submit your response is available through the Supplier portal link above. Fax, e-mail, and printed responses will not be accepted or considered. All costs incurred in responding to this solicitation will be borne by the responder. Late responses will not be considered. Responses received after End Date above will not be considered, even if errors or delays were caused by issues outside of responders’ control. If you need assistance please contact the SWIFT Vendor Assistance Helpline at 651-201-8100, Option 1, and then Option 1. By submitting a response, your company is making a binding legal offer for the period of time set forth below in Section 6, Conditions of Offer.
-----------------------------	--

SECTION 2 – SUMMARY OF SCOPE

Procurement Overview and Goal.

The Bureau of Criminal Apprehension (BCA), a division of the Minnesota Department of Public Safety (DPS), is requesting proposals from qualified responders to provide training for peace officers, law enforcement staff and leadership, and for various BCA programs and conferences. The resulting contracts from this solicitation will create the BCA Educator Master Contract Program (“Program”) which will be a bank of educators capable of teaching one or more of the topics or elements of the courses, programs and conferences required for the BCA to fulfill its statutory training mission.

An important component of the Program is to meet BCA’s statutory requirement under Minnesota Statutes § 626.848 to provide training for peace officers. By statute, the courses must correspond to the officers’: 1) powers and duties; and 2) use of approved equipment and the latest techniques for detection, identification and apprehension of criminals.

Presently, there are approximately 180 BCA training opportunities corresponding to a variety of topics for both peace officers and law enforcement staff.

These opportunities currently address the following topics:

- crime scene and investigative techniques
- missing persons
- death investigations
- human trafficking
- labor trafficking
- medical and safety certifications

These opportunities also include the following programs and conferences, or components thereof:

- **BCA Investigative Certificate Program**
 - The Minnesota Bureau of Criminal Apprehension (BCA) is dedicated to providing quality investigative training and resources to law enforcement partners throughout the state of Minnesota who are responsible for investigating criminal cases. This program is intended for sworn law enforcement who are responsible for investigations or are working towards a position where they will be investigating criminal cases. Participants who successfully complete all seven requirements will receive the BCA Investigative Certificate.
- **BCA Leadership Development Certificate Programs**
 - The Minnesota Bureau of Criminal Apprehension (BCA) is dedicated to providing high-quality leadership training for those whose career paths lead them into supervisory, management, or other leadership positions in their organizations. Whether you are an aspiring or first-time supervisor transitioning into a management role, a current manager looking to cultivate new skills for influencing your team, or a seasoned senior administrator seeking to build deeper knowledge of managing your organization, the BCA has a leadership development plan for you.
 - Designed as a three-tiered approach to leadership, each level builds on the previous level and provides knowledge and skills that enhance current leadership competencies. Those who successfully complete all six courses required for each level in a three-year period earn the BCA Supervision, or Senior Leadership Certificate.
- **Leadership in Police Organizations (LPO)**
 - Leadership in Police Organizations (LPO) is the International Association of Chiefs of Police (IACP) flagship leadership development training program. Modeled after the training concept of dispersed leadership (“every officer a leader”), LPO delivers modern behavioral science concepts and theories uniquely tailored to the law enforcement environment.

- This three-week program explores leadership at different levels in the organization: leading individuals, leading groups, and leading organizations. Through the training, attendees will experience:
 - Applied Learning: A highly interactive training, learning is reinforced with small group case studies, videos, role playing, and class exercises.
 - Translation of Theory to Practice: Attendees learn behavioral science theories with real-world applications to better understand how to lead change in individuals, groups and organizations.
 - Practical Leadership Strategies: Attendees learn strategies for influencing human behavior to increase motivation, satisfaction, and performance throughout an organization.
- The training culminates with group 'change project' presentations, identifying actual organizational issues/challenges they would like to see change to. Many agencies have adopted and implemented these change projects, resulting in organizational culture shifts, enhanced officer safety, increased efficiency, and even creation of new laws/ordinances.
- This course is recommended for the Sergeant (and first-line, non-sworn supervisors) and above, who have some extended level of experience in a police leadership position.
- Conferences:
 - The BCA Minnesota Financial Crimes Task Force (MNFCTF) Conference
 - The emphasis of this conference is to provide attendees with an understanding of the available tools and resources addressing contemporary financial crimes. Attendees will learn through case studies the various types of financial crimes, and the investigative and prosecutorial methods to solve those crimes. Participants will also gain an understanding of digital forensics as it relates to financial crimes and how to leverage relationships in the banking industry to successfully investigate and prosecute financial crimes.
 - The BCA Death and Missing Persons Investigative Conference
 - This conference will discuss the complex nature of death and missing persons investigations and the most effective investigative tools and techniques for case management, as well as identifying specific action plans to improve law enforcement's response to these cases. Participants will gain knowledge that will assist them in their missing persons and death investigations. Case studies are presented by Medical Examiners, Investigators and also specialties within the BCA, such as the laboratory or special operations.
 - The Sex Trafficking Investigation Conference
 - The conference is designed to raise awareness in Minnesota law enforcement agencies regarding sex trafficking and to build law enforcement officers' skills in effectively identifying and responding to victims of sex trafficking with a trauma-informed and victim-centered approach.

This solicitation will result in multiple-award contract to educators who can provide deliverables such as those indicated below. This master contract program may be used exclusively by the BCA, which reserves the right to use other solicitation methods during the life of this master contract program to hire educators as needed to fulfill its statutory training mission. The BCA also reserves the right to amend the list of topics or deliverables as needed at any point in time and the BCA provides no guarantee that selected educators for the program will be given the opportunity to instruct.

2. Sample Tasks and Deliverables.

Tasks and deliverables may include and are not limited to the following:

- Develop both existing courses as well as new courses to meet the above described needs, to be identified by BCA. The date(s), time(s), venue(s), learning platform, i.e. classroom, virtual or online, and attendee goals of each class will be determined and mutually agreed upon between the BCA and the master educator.

- For POST Certified courses, guarantee the course will fulfill the required seven (7) hours of instructions per day in order to satisfy attendees' accreditation, as required through the Peace Officer Standards and Training (POST) Board, by seeking and receiving approval for the course in advance of the date of provision unless BCA determines that the course has different requirements or is part of a special speaking engagement.
- Electronically transmit "soft copies" of all required course materials, including Power Point presentations and any prerequisite reading or assignments, to the BCA no less than two (2) weeks prior to commencement of a class. (The copies will be maintained by the BCA in the course file as required by the POST Board.)
- Provide attendees with all handouts and materials with the exception of any PowerPoint handouts, which will be provided by the BCA using on-line access of the PowerPoint to attendees.
- Agree to the BCA's 30-business day cancellation notice applicable to each class presentation.
- Presenting classes and curriculum created by the BCA or for the BCA by a third party
- Co-instructing classes or curriculum
- Consultation and evaluation of current classes or curriculum content by attending the class to evaluate the curriculum and provide feedback for improvements

3. Minimum Qualification Requirements.

Responders to this RFP must have:

- 1) Two or more years of experience developing and presenting in their identified course topic or area of expertise
- 2) Two or more years of experience presenting to law enforcement personnel and agencies.

These qualifications must be confirmed via the provision of a curriculum vitae.

4. Program Administration

The information below describes, in general terms, how the Program will be administered at each level. "Engagement Values" will be the total payment (including all phases of a project, including amendments) to a contractor in an individual work order contract.

The State reserves the right to make changes to its administrative procedures as the Program evolves. The State reserves the right to add additional responders to this Program on a rolling basis; any additions to the Program will be based on the scores of the original proposals.

Level 1: Engagement Values \$0-\$15,000

For singular engagements that will result in total payment within this dollar range, the State may directly select a master contract holder. The State may provide the selected master contract holder with an engagement request that will communicate the information about the engagement, such as dates, location, scope of work, etc.

The selected master contract holder should provide a response with its proposal to the engagement request, including details such as work plan, task breakdown, resource commitment, fee proposal and any other information requested by the State. Prior to the commencement of work, the State and the master contract holder will enter into a work order contract that details the specifics of the engagement including duties and cost.

Level 2: Engagement Values \$15,001-\$30,000

For engagements that will result in total payment within this dollar range, the State is required to competitively solicit a minimum of three master contract holders. The State will issue a solicitation which sets forth pertinent information regarding the engagement and also sets forth evaluation criteria upon which a selection will be based. Once a selection is made, a work order contract will be issued detailing the specifics of the engagement including duties and cost.

Level 3: Engagement Values \$30,001-\$50,000

For engagements that will result in total payment within this dollar range, the State is required to competitively solicit a minimum of three master contract holders. The State will issue a solicitation which sets forth pertinent information regarding the engagement and also sets forth evaluation criteria upon which a selection will be based. Once a selection is made, a work order contract will be issued detailing the specifics of the engagement including duties and cost once the work order contract is approved by the Office of State Procurement.

No individual work order is anticipated to exceed \$50,000 per State Fiscal year and no work will be authorized to proceed under this Program in the absence of a fully executed work order contract. The issuance of a master contract does not guarantee work under this Program.

SECTION 3 – PROPOSAL INSTRUCTIONS AND ADDITIONAL INFORMATION

1. Anticipated Contract Term.

The term of this contract is anticipated to be from **November 1, 2026**, through **June 30, 2027**, with the option to extend in increments determined by the State until June **30, 2029**.

2. Question and Answer Instructions.

All questions should be submitted no later than the date and time listed in Section 1, Instructions to Responders. The State is not obligated to answer questions submitted after the question due date and time.

Questions must be emailed to the Solicitation Administrator. The State will not respond to questions submitted by fax, telephone calls, or any other format. Other personnel, regardless of position, are not authorized to answer questions regarding this solicitation and any responses received from other personnel are invalid. All questions will be answered in an addendum to this solicitation, as described in Section 1.

Other personnel, regardless of position, are not authorized to answer questions regarding this solicitation. Contact regarding this solicitation with anyone other than the Solicitation Administrator may result in disqualification of a Responder. This provision is not intended to prevent Responders from seeking guidance from state procurement assistance programs regarding general procurement questions.

If a Responder discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in the solicitation, please immediately notify the Solicitation Administrator, via email, of such error and request modification or clarification of the document in the Q&A addendum.

3. Additional Tasks or Activities.

Responders are encouraged to propose additional tasks, activities, or goods above and beyond the scope of what is requested in this solicitation if they will substantially improve the results of this procurement. Any costs associated with these additional tasks, activities, or goods should be clearly marked and separated from costs associated with the tasks, activities, or goods specifically requested under this solicitation. Because cost is a factor in the evaluation of responses to this solicitation, failure to separate costs for additional tasks, activities, or goods may result in those costs being included in a responder's cost proposal and result in a lower cost score for that proposal.

SECTION 4 – PROPOSAL CONTENT

Submit two separate proposals, a technical proposal and a cost proposal. Technical proposals will be evaluated according to responses in the following areas. Do not include cost information in the Technical Proposal.

Technical Proposal. Please submit the following information:

Please submit the following information:

1. **Cover Letter.** Responder should provide a statement of the objectives, goals and tasks to demonstrate the Responder's view and understanding of the nature of the contract, and a summary of the course curriculum and or a summary of course curriculums Responder has given in the past.

Cover Letter should also include the following information:

- Clearly identify the course topic(s) Responder proposes to offer
 - Clearly identify the names of the proposed course(s) and identify whether the course is or was POST Board Certified
 - Clearly identify whether Responder meets the Minimum Qualifications requirements
 - If a company, provide the following:
 - Name of company
 - Name of owner or company designee and his/her following contact information:
 - Mailing street address
 - Direct telephone number
 - Email address
 - Company Profile
 - Identify entity status, e.g. public corporation, LLC, partnership, sole proprietorship, etc.
 - Brief company history
 - If an individual, provide the following:
 - Name of individual and his/her following contact information:
 - Mailing street address
 - Direct telephone number
 - Email Address
2. **Course Curriculum.** Responder should provide a description of the course content and curriculum to be taught. Clearly identify the names of the proposed course(s) and whether the course has previously been POST Board Certified. Responder can also provide descriptions of past course content and curriculum they have taught if they have no current course content and curriculum.
 3. **Qualifications and Experience.** Responder should provide an outline of background and experience with examples of similar work done by the Responder and a list of personnel who will present the class, detailing their education, training and work experience. Responder will demonstrate their experience, education and qualifications in leading and training on subjects related to peace officer education and development with specificity on topics and areas of expertise. Resumes or other information about trainers should not, if possible, contain personal telephone numbers, home addresses, or home email addresses. If it is necessary to include personal contact information, please clearly indicate in the response that personal contact information is being provided.

Minimum Qualifications Required. Responders to this RFP must meet the following qualifications:

- Two or more years of experience developing and presenting in their identified course topic or area of expertise
- Two or more years of experience presenting to law enforcement personnel, students, sworn agents and agencies.

*Minimum Qualifications must be confirmed via the provisions of a curriculum vitae.

POST Board Qualifications. If Responder is proposing a POST Board Certified course, Responder should provide a description of how it meets the following POST Board qualifications:

The Minnesota POST Board requires instructors who teach continuing education courses to possess professionally recognized training and experience in the assigned subject matter, including Board-recognized instructor training or specialized academic preparation in the course being taught. Training must be law enforcement related and directly correspond to the knowledge, skills and abilities required to be a licensed peace officer to qualify for POST Board credits.

*See Attachment E: Sample Submission for items 2 and 3 above.

Cost Proposal. Please submit the following information:

1. Cost Proposal Detail

Complete and submit "Attachment C: Cost Proposal" attached to this solicitation. Do not include the cost proposal with or identify specific costs in the technical proposal.

Submit all requested documentation, including, but not limited to, the following documents:

- Attachment A: Responder Declarations (submission required)
- Attachment B: Exceptions to State's Terms and Conditions (submission required)
- Attachment C: Cost Proposal (submission required)
- Attachment D2: Workforce and Equal Pay Declaration (submission required)

DO NOT INCLUDE Non-Public/Trade Secret data (as defined by Minn. Stat. § 13.37).

SECTION 5 – EVALUATION PROCEDURE AND CRITERIA

The State will conduct an evaluation of responses to this Solicitation. The evaluations will be conducted in three phases:

- Phase 1 - Review responses for responsiveness and pass/fail requirements
- Phase 2 - Evaluate responses
- Phase 3 - Select finalist(s)

1. Phase 1 – Responsiveness and Pass/Fail Requirements

The purpose of this phase is to determine if each response complies with mandatory requirements. The State will first review each proposal for responsiveness to determine if the Responder satisfies all mandatory requirements. The State will evaluate these requirements on a pass/fail basis.

Mandatory Requirements. The following will be considered on a pass/fail basis:

- Responses must be received by the due date and time specified in this RFP.
 - Responders must meet the following Minimum Qualification Requirements:
 - Two or more years of experience developing and presenting in their identified course topic or area of expertise
 - Two or more years of experience presenting to law enforcement personnel and agencies.
- *Minimum Qualifications must be confirmed via the provisions of a curriculum vitae.

2. Phase 2 - Evaluate Responses

Only those responses found to have met Phase 1 criteria will be considered in Phase 2.

The factors and weighting on which responses will be evaluated are:

- | | |
|--------------------------------------|---|
| 1. Cover Letter | 100 points |
| 2. Course Curriculum | 300 points |
| 3. Qualifications and Experience | 300 points |
| 4. Cost Detail | <u>300 points</u> |
| | 1000 points |
| 5. Preference Points (if applicable) | 120 points (in addition to 1,000 available) |

Preference points are described under Solicitation Terms and will be applied to the total score after points have been awarded.

3. Phase 3 - Select Finalist(s)

Only those responses that have been evaluated under Phase 2 shall be eligible for Phase 3.

The State will make its selection based on best value, as determined by this evaluation process. The State reserves the right to pursue negotiations on any exception taken to the State's standard terms and conditions. In the event that negotiated terms cannot be reached, the State reserves the right to terminate negotiations and begin negotiating with the next highest scoring responder or take other actions as the State deems appropriate. If the State anticipates multiple awards, the State reserves the right to negotiate with more than one Responder.

It is anticipated that the initial evaluation and selection will be completed by **October 25, 2026**.

SECTION 6 – UNENFORCEABLE TERMS AND SOLICITATION TERMS

Unenforceable Terms

As of July 1, 2025, certain terms are unenforceable in state contracts. See Session Laws, 2025 Regular Session, [Chapter 39](#), Article 2, Section 45.

Unenforceable terms

- (a) A contract entered into by the state shall not contain a term that:
- (1) requires the state to defend, indemnify, or hold harmless another person or entity, unless specifically authorized by statute;
 - (2) binds a party by terms and conditions that may be unilaterally changed by the other party;
 - (3) requires mandatory arbitration;
 - (4) attempts to extend arbitration obligations to disputes unrelated to the original contract;
 - (5) construes the contract in accordance with the laws of a state other than Minnesota;
 - (6) obligates state funds in subsequent fiscal years in the form of automatic renewal as defined in section 325G.56; or
 - (7) is inconsistent with chapter 13, the Minnesota Government Data Practices Act.
- (b) If a contract is entered into that contains a term prohibited in paragraph (a), that term shall be void and the contract is enforceable as if it did not contain that term.

Solicitation Terms

1. Competition in Responding

The State desires open and fair competition. Questions from responders regarding any of the requirements of the Solicitation must be submitted in writing to the Solicitation Administrator listed in the Solicitation before the due date and time. If changes are made the State will issue an addendum.

Any evidence of collusion among responders in any form designed to defeat competitive responses will be reported to the Minnesota Attorney General for investigation and appropriate action.

2. Addenda to the Solicitation

Changes to the Solicitation will be made by addendum with notification and posted in the same manner as the original Solicitation. Any addenda issued will become part of the Solicitation.

3. Data Security - Foreign Outsourcing of Work is Prohibited

All storage and processing of information shall be performed within the borders of the United States. This provision also applies to work performed by subcontractors at all levels.

4. Joint Ventures

The State allows joint ventures among groups of responders when responding to the solicitation. However, one responder must submit a response on behalf of all the others in the group. The responder that submits the response will be considered legally responsible for the response (and the contract, if awarded).

5. Withdrawing Response

A responder may withdraw its response prior to the due date and time of the Solicitation. For solicitations in the SWIFT Supplier Portal, a responder may withdraw its response from the SWIFT Supplier Portal. For solicitations done any other way, a responder may withdraw its response by notifying the Solicitation Administrator in writing of the desire to withdraw.

After the due date and time of this Solicitation, a responder may withdraw a response only upon showing that an obvious error exists in the response. The showing and request for withdrawal must be made in writing to Solicitation Administrator within a reasonable time and prior to the State's detrimental reliance on the response.

6. Rights Reserved

The State reserves the right to:

- Reject any and all responses received;
- Waive or modify any informalities, irregularities, or inconsistencies in the responses received;
- Negotiate with the highest scoring Responder[s];
- Terminate negotiations and select the next response providing the best value for the State;
- Consider documented past performance resulting from a State contract may be considered in the evaluation process;
- Short list the highest scoring Responders;
- Require Responders to conduct presentations, demonstrations, or submit samples;
- Interview key personnel or references;
- Request a best and final offer from one or more Responders;
- The State reserves the right to request additional information ; and
- The State reserves the right to use estimated usage or scenarios for the purpose of conducting pricing evaluations. The State reserves the right to modify scenarios, and to request or add additional scenarios for the evaluation.

7. Samples and Demonstrations

Upon request, Responders are to provide samples to the State at no charge. Except for those destroyed or mutilated in testing, the State will return samples if requested and at the Responder's expense. All costs to conduct and associated with a demonstration will be the sole responsibility of the Responder.

8. Responses are Nonpublic during Evaluation Process

All materials submitted in response to this Solicitation will become property of the State. During the evaluation process, all information concerning the responses submitted will remain private or nonpublic and will not be disclosed to anyone whose official duties do not require such knowledge. Responses are private or nonpublic data until the completion of the evaluation process as defined by Minn. Stat. § 13.591. The completion of the evaluation process is defined as the State having completed negotiating a contract with the selected responder. The State will notify all responders in writing of the evaluation results.

9. Trade Secret Information

- 9.1 Responders must not submit as part of their response trade secret material, as defined by Minn. Stat. § 13.37.
- 9.2 In the event trade secret data are submitted, Responder must defend any action seeking release of data it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments awarded against the State in favor of the party requesting the data, and any and all costs connected with that defense.
- 9.3 The State does not consider cost or prices to be trade secret material, as defined by Minn. Stat. § 13.37.
- 9.4 A responder may present and discuss trade secret information during an interview or demonstration with the State, if applicable.

10. Conditions of Offer

Unless otherwise approved in writing by the State, Responder's cost proposal and all terms offered in its response that pertain to the completion of professional and technical services and general services will remain firm for 180 days, until they are accepted or rejected by the State, or they are changed by further negotiations with the State prior to contract execution.

11. Award

Any award that may result from this solicitation will be based upon the total accumulated points as established in the solicitation. The State reserves the right to award this solicitation to a single Responder, or to multiple Responders, whichever is in the best interest of the State, providing each Responder is in compliance with all terms and conditions of the solicitation. The State reserves the right to accept all or part of an offer, to reject all offers, to cancel the solicitation, or to re-issue the solicitation, whichever is in the best interest of the State.

12. Requirements Prior to Contract Execution

Prior to contract execution, a responder receiving a contract award must comply with any submittal requests. A submittal request may include, but is not limited to, a Certificate of Insurance.

13. Targeted Group, Economically Disadvantaged Business, Veteran-Owned and Individual Preference

Unless a greater preference is applicable and allowed by law, in accordance with Minn. Stat. § 16C.16, businesses that are eligible and certified by the State as targeted group (TG) businesses, economically disadvantaged (ED) businesses, and veteran-owned businesses will receive points equal to 12% percent of the total points available as preference.

For TG/ED/VO certification and eligibility information visit the Office of Equity in Procurement website at <https://mn.gov/admin/business/vendor-info/oep/> or call the Division's Helpline at 651.296.2600.

14. Reciprocity

State shall comply with Minn. Stat. § 16C.06, subd. 7, as that applies to a non-resident vendor. This paragraph does not apply for any project in which federal funds are expended.