



State of New Hampshire
Department of Health and Human Services

REQUEST FOR PROPOSALS

FOR

Professional Education, Promotion Activities, and Evaluation
Support to Prevent and Manage Chronic Diseases

RFP-2027-DPH-15-PROCD

RELEASE DATE: September 18, 2026

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1. PURPOSE AND OVERVIEW

1.1. Introduction

The New Hampshire Department of Health and Human Services, Division of Public Health ("Department") is seeking responses to this Request for Proposals ("Solicitation" or "RFP") from qualified Vendors to support the Department's chronic disease, screening, and preventative health programs. The selected Vendor will provide support across program areas by coordinating partner engagement, assisting with evidence-based intervention activities, and supporting evaluation, training, administrative, and communication functions as directed by the Department.

The Department anticipates awarding one (1) contract for the services in this solicitation.

Qualified Vendor(s) must possess a demonstrated familiarity with New Hampshire public health infrastructure and health care networks.

1.2. Key Information

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

Contract Effective Date	Upon G&C approval	
Contract End Date	June 30, 2028	
Renewal Options	The Department may extend contracted services for up to two (2) additional years.	
Funding Source	The Department anticipates using Federal funds for the resulting contract.	
	Assistance Listing Numbers	1) 93.988 2) 93.426 3) 93.436 4) 93.898 5) 93.945 6) 93.070
	Award Names	1) A Strategic Approach to Advancing Health Equity for Priority Populations with or at Risk for Diabetes 2) Cardiovascular Health Program in New Hampshire 3) WISEWOMAN: Well-Integrated Screening and Evaluation of Woman Across the Nation 4) Cancer Prevention and Control Programs for State, Territorial, and Tribal Organizations 5) Public Health Approaches to Addressing Arthritis in New Hampshire

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		6) Advancing Health Equity in Asthma Control through EXHALE Strategies
Point of Contact	Krissy O. Nikitas, Contract Specialist kristine.o.nikitas@dhhs.nh.gov 603-271-9029	
From the date of release of this solicitation until an award is made and announced regarding the selection of a Vendor, all communication with personnel employed by or under contract with the Department regarding this solicitation is prohibited unless first approved by the Point of Contact listed above. Department employees have been directed not to hold conferences and/or discussions concerning this solicitation with any potential contractor during the selection process, unless otherwise authorized by the Point of Contact. Vendors may be disqualified for violating this restriction on communications.		
Interested vendors must read this entire solicitation and submit the required documents in the specified manner. Vendors are responsible for reviewing the most updated information related to this solicitation before submitting responses.		

1.3. Procurement Timetable

All times are according to Eastern Time. The Department reserves the right to modify these dates and times at its sole discretion.		
Item	Action	Date
1.	Solicitation Released	9/18/2026
2.	Vendor Questions Submission Deadline	10/2/2026 12:00PM – Noon EST
3.	Department Response to Questions Published	10/16/2026
4.	Vendor Solicitation Response Due Date	10/30/2026 12:00PM – Noon EST

1.4. Background

1.4.1. New Hampshire Department of Health and Human Services, Bureau of Prevention and Wellness

The Department's mission is to partner with communities and families to create opportunities that promote health, wellness, and independence for all citizens in New Hampshire. The Bureau of Prevention and Wellness supports this mission by providing resources that advance the development and delivery of chronic disease prevention, treatment, and related support services.

The Division of Public Health (DPH) is an expert leadership organization that promotes optimal health and well-being for all people in New Hampshire and protects them from

illness and injury. DPH is responsible for serving the public, including individuals, families, communities, and organizations, by delivering high quality, evidenced-based services. DPH responds promptly to public health threats, inquiries, and emerging issues. The Bureau of Prevention and Wellness includes the Chronic Disease Prevention and Screening Section which has programs and services that focus on promoting healthy lifestyles, preventing chronic illness (e.g., diabetes and heart disease) and improving self-management of certain chronic diseases. The Bureau also manages the Asthma Control Program within its Cancer, Asthma, and Oral Health section, aiming to reduce asthma through surveillance, interventions, and partnerships.

1.4.2. **Objective**

Chronic diseases and related conditions represent a significant and persistent public health challenge in New Hampshire and across the United States. Nationally, healthcare spending exceeds \$3.5 trillion annually, with chronic and mental health conditions accounting for approximately 90% of that cost. Sixty percent of Americans live with at least one chronic condition, and over 40% have multiple conditions; a trend that has remained unchanged for more than a decade. Chronic diseases are responsible for seven of the ten leading causes of death in New Hampshire, including heart disease, cancer, stroke, and diabetes.

Program Area Descriptions:

A Strategic Approach to Advancing Health Equity for Priority Populations with or at Risk for Diabetes (Diabetes)

Supports statewide implementation of evidence-based diabetes prevention and self-management programs. Priorities include expanding access to the National DPP and DSMES, improving identification of individuals at risk, and strengthening referral and care systems.

Cardiovascular Health Program in New Hampshire (Cardiovascular / Heart Program)

Advances statewide hypertension and heart disease prevention and management through improved clinical-community linkages, increased access to proven interventions, and expanded referrals for risk-reduction services.

WISEWOMAN: Well-Integrated Screening and Evaluation of Women Across the Nation (WISEWOMAN)

Provides preventive cardiovascular screening and services for low-income and uninsured women. Focuses on early detection, referral improvement, and community-based strategies that support health equity.

Cancer Prevention and Control Programs for State, Territorial, and Tribal Organizations (Cancer)

Reduces cancer burden through prevention, screening, early detection, and survivorship support. Activities include providing access to breast and cervical cancer screening, delivering training and technical assistance, and conducting surveillance to guide statewide planning.

Public Health Approaches to Addressing Arthritis in New Hampshire (Arthritis)

Improves arthritis outcomes by expanding access to evidence-based community interventions, strengthening healthcare-community partnerships, and promoting referrals to programs that reduce pain and improve quality of life.

Advancing Health Equity in Asthma Control through EXHALE Strategies (Asthma)

Decreases asthma-related illness through surveillance, evidence-based interventions, and statewide partnerships. Efforts align with EXHALE strategies and the NH State Asthma Plan to improve self-management, reduce triggers, and strengthen care coordination.

These conditions impose substantial health, economic, and social costs on individuals, families, and communities. Effective prevention, early detection, evidence-based interventions, and system-level improvements are essential to reduce disease burden, improve quality of life, and control healthcare costs. This RFP seeks a contractor capable of coordinating chronic disease and rural health initiatives, supporting partner organizations, implementing evidence-based strategies, and strengthening healthcare systems to address these pressing public health priorities.

2. STATEMENT OF WORK

2.1. Scope of Services– See Appendix A – Scope of Services

2.2. Mandatory Questions

2.2.1. In response to this solicitation, Vendor(s) must respond to the Mandatory Questions below, utilizing Appendix E Technical Responses to Mandatory Questions.

Q1 Describe your organization's **experience** delivering the Scope of Services outlined in this RFP. Include your experience:

- a. Identifying and engaging with organizations, including healthcare providers and community organizations, to support evidence-based chronic disease prevention and management activities.
- b. Coordinating training and meeting logistics, such as securing speakers or trainers, obtaining continuing education unit (CEU) opportunities, developing educational modules, managing registration, utilizing training technologies, and promoting training sessions.
- c. Developing patient education materials for use by healthcare professionals, community organizations, and support staff in clinical, pharmacy, and school-based settings.

Q2 Describe your organization's **ability** to provide the entire Scope of Services and meet all requirements in this RFP. Include:

- a. How your organization will collaborate with the Department and stakeholders to implement priorities across chronic disease prevention, management, and cancer initiatives.

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- b. Examples of past projects demonstrating successful implementation of similar strategies and projects.
- c. Approaches to integrating innovative and evidence-based practices into program activities and partner engagement.

Q3 Describe your organization's **experience** and **knowledge** related to chronic disease prevention, screening, and evidence-based intervention implementation, including work with healthcare systems and community partners.

Q4 Describe your organization's **approach** to delivering the services detailed in this RFP. Include:

- a. Coordination of chronic disease prevention, management, and cancer-related projects, training, curricula, and resource development.
- b. How you will ensure access to training for healthcare providers and community organizations serving underserved and uninsured communities, including strategies to reduce participation barriers.
- c. Your approach to managing and monitoring subcontractors to ensure quality, compliance, and timely delivery of project goals and objectives.

Q5 Describe your organization's **capacity** to perform the entire Scope of Services outlined in this Solicitation. Provide your organization's staffing plan within Appendix F – Program Staff List, including:

- a. An organizational chart showing reporting structure and key roles (See Appendix A – Scope of Services).
- b. Descriptions of staff qualifications, including relevant experience, specialized training, and resumes for all personnel assigned to this project.
- c. Any specialized staff training completed relevant to providing services in this Solicitation.

2.3. Finance

- 2.3.1. The selected Vendor must complete and submit monthly invoices using a form satisfactory to the Department to initiate and request payment in accordance with the terms of the resulting contract.
- 2.3.2. The Vendor must provide a non-Federal financial match at a ratio of one dollar for every three dollars awarded under the WISEWOMAN funding allocation, per State Fiscal Year. All documentation of the match must be provided within the final budget submitted to the Department.
- 2.3.3. The Vendor must ensure the annual required match for the WISEWOMAN program area are in non-federal, non-Department-related contributions either in cash, in-kind, or donated services or equipment related to directly carrying out project activities and goals related to the Department.
- 2.3.4. **Vendors may not apply indirect costs to the Innovative Pilot I specified in Appendix A, Section 1.5 Innovative Pilot Projects.** Any indirect cost rate must be applied only to allowable direct costs and may not be calculated on the Innovative Pilot Project set-aside funding of \$750,000. The following table

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outlines the State Fiscal Year funding levels for the Innovative Pilot Projects within each chronic disease program area.

Chronic Disease Program Area	Innovative Pilot projects may include:	State Fiscal Year 2027	State Fiscal Year 2028	Total Funding
Heart and Diabetes	Diabetes guideline integration into EHR systems, workflow pilots, community-clinical linkages for diabetes education and referrals, hypertension workflow and treatment protocol integration, new community-based model pilots for home blood pressure monitoring or cardiac rehabilitation access.	\$300,000	\$150,000	\$450,000
Arthritis	Referral systems linking providers to self-management programs, workflow pilots, expansion of evidence-based activity programs	\$15,000	\$15,000	\$30,000
Asthma	Healthcare provider education and training, integration of asthma into home visiting model	\$125,000	\$45,000	\$170,000
Cancer	EHR screening reminders, referral workflow pilots, pilot screening models	\$60,000	\$40,000	\$100,000
Total		\$500,000	\$250,000	\$750,000

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3. SOLICITATION RESPONSE EVALUATION

- 3.1. The Department will evaluate responses from Vendors based upon the criteria and standards contained in this solicitation and by applying the points as set forth below, which will be used to determine the overall highest scoring Vendor(s). Vendors are advised that this is not a low-cost award.

TECHNICAL RESPONSE	POSSIBLE SCORE
Q1: Experience	125 Points
Q2: Ability	75 Points
Q3: Experience and Knowledge	175 Points
Q4: Approach	225 Points
Q5: Capacity	100 Points
Technical Response – Total Possible Score	700 Points

COST PROPOSAL <i>(see Scoring of Cost Proposals below)</i>	POSSIBLE SCORE
Vendor Cost (see formula below)	300 Points
Cost Proposal – Total Possible Score	300 Points

MAXIMUM POSSIBLE SCORE	1000 Points
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3.2. Preliminary Scoring of Technical Responses

- 3.2.1. The Department will establish an evaluation team. The evaluation team will review the Technical Proposal and provide a preliminary score. Should a Vendor fail to achieve a minimum of 400 points during the preliminary scoring, it will receive no further consideration from the evaluation team and the Vendor's Cost Proposal will remain unopened.

3.3. Scoring of Technical Proposals

- 3.3.1. Vendor Technical Responses will be scored based on the following criteria:

Question 1	0-41 Points	42-83 Points	84-125Points
	Vendor does not include sufficient detail regarding their experience with services in RFP, and most requirements are not sufficiently addressed.	Vendor includes some detail regarding their experience with services in RFP, but some requirements are not sufficiently addressed.	Vendor includes necessary detail sufficient detail regarding their experience with services in RFP, and most or all requirements are sufficiently addressed.
Question 2	0-25 Points	26-50Points	51-75 Points
	Vendor does not include sufficient detail regarding their ability to provide the services in the RFP, and most requirements are not	Vendor includes some detail regarding their ability to provide the services in the RFP, but some requirements	Vendor includes necessary detail sufficient to address their ability to provide the services in the RFP, and most or all requirements are

	sufficiently addressed.	are not sufficiently addressed.	sufficiently addressed..
Question 3	0-58 Points	59-117 Points	118-175 Points
	Vendor does not include sufficient detail regarding their experience and knowledge relevant to providing services in the RFP, and most requirements are not sufficiently addressed.	Vendor includes some detail regarding their experience and knowledge relevant to the RFP, but some requirements are not sufficiently addressed..	Vendor includes necessary detail sufficient to address their experience and knowledge relevant to the RFP, and most or all requirements are sufficiently addressed.
Question 4	0-75 Points	76-150 Points	151-225 Points
	Vendor does not include sufficient detail regarding their proposed approach to providing the services in the RFP, and most requirements are not sufficiently addressed.	Vendor includes some detail regarding their proposed approach, but some requirements are not sufficiently addressed..	Vendor includes necessary detail sufficient to address their proposed approach to providing the services in the RFP, and most or all requirements are sufficiently addressed
Question 5	0-33 Points	34-65 Points	66-100 Points
	Vendor does not include sufficient detail regarding their capacity to provide the services in the RFP, and most requirements are not sufficiently addressed.	Vendor includes some detail regarding their capacity to provide the RFP, but some requirements are not sufficiently addressed.	Vendor includes necessary detail regarding their capacity to provide the RFP, and most or all requirements are sufficiently addressed.

3.4. Scoring of Cost Proposals

3.4.1. **Vendor Total Cost:** The following formula will be used to assign points for Vendor Proposed Cost:

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

***Example:**

- Vendor A proposes \$100,000
- Vendor B proposes \$200,000
- Maximum Number of Points for Vendor Cost = 250 points.

Vendor B Cost Score:

(\$100,000/\$200,000) x 250 = 125 Points

For the purpose of this formula, the lowest proposed cost is defined as the lowest total cost proposed in Appendix G, Cost Sheet, by a Vendor that has not been disqualified and received the minimum allowable points during preliminary scoring of technical responses as specified above. Fractions of points will be rounded up to the nearest whole number of points.

3.5. Rights of the Department in Evaluating Solicitation Responses

3.5.1. The Department reserves the right, at its sole discretion, to:

3.5.1.1. Consider information provided in the Vendor's Transmittal Letter in evaluating solicitation responses;

- 3.5.1.2. Make independent investigations in evaluating solicitation responses;
- 3.5.1.3. Request additional information to clarify elements of a proposal;
- 3.5.1.4. Waive minor or immaterial deviations from the Solicitation and contract requirements, if determined to be in the best interest of the State;
- 3.5.1.5. Omit any planned evaluation step if, in the Department's view, the step is not needed;
- 3.5.1.6. Reject any and all Solicitation responses in whole or in part at any time; and
- 3.5.1.7. Open contract discussions with the second highest scoring vendor and so on, if the Department is unable to reach an agreement on contract terms with the highest scoring vendor(s).

4. SOLICITATION RESPONSE PROCESS

4.1. Letter of Intent

- 4.1.1. A Letter of Intent to submit a response to this solicitation is optional.
- 4.1.2. Receipt of the Letter of Intent by Department will be required to receive electronic notification of any addenda published to amend this solicitation.
- 4.1.3. The Letter of Intent must be transmitted by email to the Contract Specialist identified in Subsection 1.2 and include the name, telephone number, mailing address and email address of the Vendor's designated contact as specified in Appendix D, Transmittal Letter and Vendor Information. **Notwithstanding the Letter of Intent, Vendors remain responsible for reviewing the most updated information related to this solicitation before submitting a response.**

4.2. Solicitation Amendment

- 4.2.1. The Department reserves the right to amend this Solicitation by publishing any addenda, as it deems appropriate, on the Department's website (<https://www.dhhs.nh.gov/doing-business-dhhs/contracts-procurement-opportunities>) prior to the Submission Deadline on its own initiative or in response to issues raised through Vendor Questions submitted by the date specified in Subsection 1.3, Procurement Timetable. In the event that an addendum is published, the Department, at its sole discretion, may extend the Submission Deadline.

4.3. Questions and Answers

4.3.1. Vendors' Questions

- 4.3.1.1. All questions about this Solicitation including, but not limited to, requests for clarification, additional information or any changes to the Solicitation must be made in writing, by email only, citing the Solicitation page number and part or subpart, and submitted to the Contract Specialist identified in Subsection 1.2.
- 4.3.1.2. The Department may consolidate or paraphrase questions for efficiency and clarity. Questions that are not understood will not be

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answered. Statements that are not questions will not receive a response.

4.3.1.3. The questions must be submitted by email; however, the Department assumes no liability for ensuring accurate and complete email transmissions.

4.3.1.4. Questions must be received by the Department by the Vendor Questions Submission Deadline specified in Subsection 1.3, Procurement Timetable.

4.3.2. Department Responses

4.3.2.1. The Department intends to issue responses to properly submitted questions by the date specified in Subsection 1.3, Procurement Timetable. This date may be subject to change at the Department's discretion. All oral answers given are non-binding. Written answers to questions received will be posted on the Department's website (<https://www.dhhs.nh.gov/doing-business-dhhs/contracts-procurement-opportunities>). This date may be subject to change at the Department's discretion.

4.3.3. Exceptions

4.3.3.1. The Department will require the successful Vendor to execute a contract using the Form P-37, General Provisions and Standard Exhibits, which are attached as Appendix B. To the extent that a Vendor believes that exceptions to Appendix B will be necessary for the Vendor to enter into a contract, the Vendor must request those exceptions by the Vendor Questions Submission Deadline in Subsection 1.3. Vendors may not request exceptions to the Scope of Services or any other sections of this Solicitation.

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

4.3.3.3. Any exceptions to the standard form contract and exhibits that are not raised by a Vendor by the Vendor Questions Submission Deadline may not be considered. **In no event is a Vendor to submit its own standard contract terms and conditions as a replacement for the Department's terms in response to this Solicitation.**

5. SOLICITATION RESPONSE SUBMISSION INSTRUCTIONS

5.1. Responses to this Solicitation must be submitted electronically via email to **rfx@dhhs.nh.gov** **AND** to the Contract Specialist at the email address specified in Subsection 1.2.

5.1.1. The subject line must include the following information:

RFP-2027-DPH-07-PROCD (email 1 of 1).

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

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- 5.3. The Department must receive submissions by the time and date specified in the Procurement Timetable in Section 1.3 and in the manner specified or it may be rejected as non-compliant, unless waived by the Department as a non-material deviation.
- 5.4. The Department will conduct an initial screening step to verify Vendor compliance with the requirements of this Solicitation. The Department may offer a limited opportunity for a Vendor to cure immaterial deviations from the Solicitation Response requirements if it is deemed to be in the best interest of the Department.
- 5.5. Late submissions not accepted will remain unopened. Disqualified submissions will be discarded. Submission of solicitation responses shall be at the Vendor's expense.

6. SOLICITATION RESPONSE REQUIREMENTS

- 6.1. Acceptable solicitation responses must offer all services identified in Appendix A - Statement of Work, unless an allowance for partial scope is specifically described in Section 2.
- 6.2. Vendors must submit a separate electronic document for the Technical Response and a separate electronic document for the Cost Proposal.

6.3. Technical Response Contents

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

6.3.1. **Appendix D – Transmittal Letter and Vendor Information**, including:

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

6.3.2. **Appendix E– Technical Responses to Mandatory Questions**

6.3.3. **Appendix F – Program Staff List**

- 6.3.4. **Resumes** – Vendors must provide resumes for key personnel primarily responsible for meeting the terms and conditions of any agreement resulting from this Solicitation. Vendors must redact all personal information from resumes.

6.4. Cost Proposal Contents

- 6.4.1. **Appendix G, Budget Sheet** – Vendors must complete an Appendix G, Budget Sheet, including the Budget Narrative column; and a Salary and Wages Details tab, for each State Fiscal Year (July 1 through June 30). If your organization has a Federally Negotiated Indirect Cost Rate Agreement (NICRA), please provide a copy along with your budget. This is not a low-cost award.

- 6.4.1.1. Indirect Costs will **not** be reimbursed for the Innovative Pilot Projects.

7. ADDITIONAL TERMS AND REQUIREMENTS

7.1. Non-Collusion

Vendors must establish prices, terms, conditions, and services in their Solicitation Response without collusion with other Vendors and without effort to preclude the Department from obtaining the best possible competitive solicitation response.

7.2. Collaborative Solicitation Responses

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

7.3. Validity of Solicitation Responses

Solicitation responses must be valid until the Effective Date of any resulting contract.

7.4. Debarment

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

7.5. Property of Department

Any material property submitted and received in response to this solicitation will become the property of the Department and will not be returned to the Vendor. The Department reserves the right to use any information presented in any solicitation response provided that its use does not violate any copyrights or other provisions of law.

7.6. Solicitation Response Withdrawal

Prior to the Response Submission Deadline specified in Subsection 1.3, Procurement Timetable, Letters of Intent or solicitation responses may be withdrawn by submitting a written request for its withdrawal to the Contract Specialist specified in Subsection 1.2.

7.7. Confidentiality

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

7.8. Public Disclosure

- 7.8.1. The information submitted in response to this solicitation (including all materials submitted in connection with it, such as attachments, exhibits, addenda, and presentations), any resulting contract, and information provided during the contractual relationship may be subject to public disclosure under Right-to-Know laws, including RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this solicitation will be made accessible to the public online via the New Hampshire Secretary of State website (<https://sos.nh.gov/>).
- 7.8.2. Confidential, commercial or financial information may be exempt from public disclosure under RSA 91-A:5, IV. If a Vendor believes any information submitted in response to this solicitation should be kept confidential, the Vendor must specifically identify that information where it appears in the submission in a manner that draws attention to the designation and must mark/stamp each page

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of the materials that the Vendor claims must be exempt from disclosure as "CONFIDENTIAL." Vendors must also provide a letter to the person listed as the point of contact for this solicitation, identifying the specific page number and section of the information considered to be confidential, commercial or financial and providing the rationale for each designation. Marking or designating an entire submission as confidential shall neither be accepted nor honored by the Department. Vendors must also provide a separate copy of the full and complete document, fully redacting those portions and shall note on the applicable page or pages that the redacted portion or portions are "confidential."

- 7.8.3. Submissions which do not conform to these instructions by failing to include a redacted copy (if necessary), by failing to include a letter specifying the rationale for each redaction, by failing to designate the redactions in the manner required by these instructions, or by including redactions which are contrary to these instructions or operative law may be rejected by the Department as not conforming to the requirements of the solicitation.
- 7.8.4. Pricing, which includes but is not limited to, the administrative costs and other performance guarantees in responses or any subsequently awarded contract shall be subject to public disclosure regardless of whether it is marked as confidential.
- 7.8.5. Notwithstanding a Vendor's designations, the Department is obligated under the Right-to-Know law to conduct an independent analysis of the confidentiality of the information submitted in response to the solicitation. If a request is made to the Department to view or receive copies of any portion of the response that is marked confidential, the Department shall first assess what information it is obligated to release. The Department will then notify the Vendor that a request has been made, indicate what, if any, information the Department has assessed is confidential and will not be released, and specify the planned release date of the remaining portions of the response. To halt the release of information by the Department, a Vendor must initiate and provide to the Department, prior to the date specified in the notice, a court action in the Superior Court of the State of New Hampshire, at its sole expense, seeking to enjoin the release of the requested information.
- 7.8.6. By submitting a response to this solicitation, Vendors acknowledge and agree that:
 - 7.8.6.1. The Department may disclose any and all portions of the response or related materials which are not marked as confidential and/or which have not been specifically explained in the letter to the person identified as the point of contact for this solicitation;
 - 7.8.6.2. The Department is not obligated to comply with a Vendor's designations regarding confidentiality and must conduct an independent analysis to assess the confidentiality of the information submitted; and
 - 7.8.6.3. The Department may, unless otherwise prohibited by court order, release the information on the date specified in the notice described above without any liability to a Vendor.

7.9. Non-Commitment

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

7.10. Solicitation Response Cost

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

7.11. Request for Additional Information or Materials

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

7.12. Oral Presentations and Discussions

The Department reserves the right to require some or all Vendors to make oral presentations of their solicitation response. The purpose of the oral presentation is to clarify and expound upon information provided in the written solicitation response. Vendors are prohibited from altering the original substance of their solicitation response during the oral presentations. The Department will use the information gained from oral presentations to refine the technical review scores. Any and all costs associated with an oral presentation shall be borne entirely by the Vendor.

7.13. Site Visits

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

7.14. Successful Vendor Notice and Contract Negotiations

The Department will only notify selected Vendors of selection. The Department will not notify Vendor(s) that are not initially selected to enter into contract negotiations.

Until the Department successfully completes negotiations with the selected Vendor(s), all submitted solicitation responses remain eligible for selection by the Department. The Department reserves the right to open contract discussions with the second highest scoring vendor and so on, if the Department is unable to reach an agreement on contract terms with the higher scoring vendor(s).

7.15. Scope of Award and Contract Award Notice

7.15.1. The Department reserves the right to award a service in whole or in part. A contract award is contingent on approval by the Governor and Executive Council and continued appropriation of funding for the contract.

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

pertaining to any contract award.

7.16. Contract Registration Requirements

- 7.16.1. Prior to submission of any agreement for Governor and Executive Council for approval, the selected Vendor(s) must be:
- 7.16.2. Registered and in good standing with the NH Department of State, per RSA 5:18-a (<https://quickstart.sos.nh.gov/online>).
- 7.16.3. Registered with the NH Department of Administrative Services and have a Vendor Code (Vendor Resource Center | Procurement and Support Services | NH Dept. of Administrative Services) in order to receive payment.
- 7.16.4. Registered and in good standing with the NH Department of Justice Charitable Trust Unit if the organization meets the definition of Charitable Organization per RSA 7:21 (<https://www.doj.nh.gov/bureaus/charitable-trusts>).

7.17. Electronic Posting of Solicitation Results and Resulting Contract

- 7.17.1. At the time of receipt of responses, the Department will post the number of responses received with no further information. No later than five (5) business days prior to submission of a contract to the Department of Administrative Services pursuant to this solicitation, the Department will post the name, rank or score of each responding Vendor. In the event that the resulting contract does not require Governor & Executive Council approval, the Agency will disclose the rank or score at least five (5) business days before final approval of the contract.
- 7.17.2. Pursuant to RSA 91-A and RSA 9-F:1, the Secretary of State will post to the public any document submitted to G&C for approval, including contracts resulting from this solicitation, and posts those documents on its website (<https://sos.nh.gov/administration/miscellaneous/governor-executive-council/>). By submitting a response to this solicitation, vendors acknowledge and agree that, in accordance with the above-mentioned statutes and policies, (and regardless of whether any specific request is made to view any document relating to this solicitation), any contract resulting from this solicitation that is submitted to G&C for approval will be made accessible to the public online.

7.18. Protest of Intended Award

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

7.19. Contingency

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

7.20. Ethical Requirements

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

7.21. Liquidated Damages

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

8. COMPLIANCE

8.1. The selected Vendor(s) must comply with all applicable federal and state laws, rules and regulations, and applicable policies and procedures adopted by the Department currently in effect, and as they may be adopted or amended during the contract period.

8.2. The selected Vendor(s) may be required to complete a contract monitoring questionnaire, to be provided by the Department, to determine risk of noncompliance and appropriate monitoring activities, including, but not limited to:

8.2.1. Site visits.

8.2.2. File reviews.

8.2.3. Staff training.

8.3. Audit Requirements

8.3.1. The selected Vendor(s) must email an annual audit to dhhs.act@dhhs.nh.gov if any of the following conditions exist:

8.3.1.1. Condition A - - The selected Vendor is subject to a Single Audit pursuant to 2 CFR 200.501 Audit Requirements.

8.3.1.2. Condition B - The selected Vendor is subject to audit pursuant to the requirements of NH RSA 7:28, III-b.

8.3.1.3. Condition C - The selected Vendor is a public company and required by Security and Exchange Commission (SEC) regulations to submit an annual financial audit.

8.3.2. If Condition A exists, the selected Vendor(s) shall submit an annual single audit performed by an independent Certified Public Accountant (CPA) to the Department within 120 days after the close of the Vendor's fiscal year,

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conducted in accordance with the requirements of 2 CFR Part 200, Subpart F of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards.

- 8.3.3. If Condition B or Condition C exists, the selected Vendor(s) shall submit an annual financial audit performed by an independent CPA within 120 days after the close of the selected Vendor's fiscal year.
- 8.3.4. The selected Vendor(s), regardless of the funding source and/or whether Conditions A, B, or C exist, may be required to submit annual financial audits performed by an independent CPA upon request by the Department.
- 8.3.5. In addition to, and not in any way in limitation of obligations of the resulting contract(s), it is understood and agreed by the selected Vendor(s) that the selected Vendor(s) shall be held liable for any state or federal audit exceptions and shall return to the Department all payments made under the resulting contract(s) to which exception has been taken, or which have been disallowed because of such an exception.

9. APPENDICES TO THIS SOLICITATION

- 9.1. Appendix A – Scope of Services**
- 9.2. Appendix B – Form P-37 General Provisions and Standard Exhibits**
- 9.3. Appendix C – Transmittal Letter and Vendor Information**
- 9.4. Appendix D – Technical Responses to Questions**
- 9.5. Appendix E – Program Staff List**
- 9.6. Appendix F – Budget**