

IT Professional Technical Services

SITE Program

T#:14ATM

Request for Offers (RFO)

For Technology Services

Issued By: Office of MN.IT Services @ Minnesota Department of Health

Project Title: WIC Electronic Benefit Transfer (EBT) Planning Project

Categories: Analyst; Program/Project Management; Quality Assurance

Business Need

The Minnesota Department of Health (MDH) is seeking a planning contractor to assist the Minnesota Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Program in managing the WIC EBT planning process for the State of Minnesota. This EBT system will replace the current paper check system for providing food benefits to WIC participants. The planning contractor will be required to oversee the initial EBT planning process and complete an Implementation Advance Planning Document (IAPD) and Implementation Request For Proposal(s) and to designate a Planning Project Manager to coordinate the project's activities.

The objective of this planning project is to position the Minnesota WIC Program to begin development and implementation of an EBT system. The planning contractor will be required to conduct an EBT alternative analysis and cost analysis and will prepare the Implementation Advanced Planning Document and the Implementation Request for Proposal(s) for submission to USDA and other project deliverables outlined in the Project Deliverables and Tasks section of the RFO. Following the planning phase, the Minnesota WIC Program must be adequately equipped with the information and resources it requires to move forward with successful EBT implementation, building on lessons learned from other States who have successfully transitioned to EBT.

Background and History

- EBT development has been a key long-term goal of the Food and Nutrition Services (FNS) section of the United States Department of Agriculture (USDA). Under the provisions of the Healthy, Hunger Free Kids Act of 2010, FNS is charged with the responsibility for insuring that all states change from a paper based WIC food benefits delivery system to an EBT system by 2020.
- Under EBT, an electronic system replaces paper food benefits with a benefit card that can be used at Electronic Cash Register (ECR)/Point of Sale (POS) terminals at retail food stores. Based on the experience of a number of states that have already successfully implemented a WIC EBT system, FNS supports both offline and online WIC

EBT technologies. Online EBT transaction processing uses a benefit card that has a magnetic stripe to perform a series of real-time transactions. Offline EBT processing uses a benefit card that has a computer chip imbedded in the card; commonly referred to as a Smart Card.

- Over the past several years, the Minnesota WIC Program has been preparing for EBT. We implemented a State Agency Model System (SAM) management information system in 2011 and we have performed the following information gathering and preparatory activities for EBT technology:
 - Attended various National EBT conferences
 - Visited Kentucky, Texas and Michigan for demonstrations and information about EBT planning and implementation
 - Reviewed other states' planning documents and activities
 - Met with Minnesota SNAP EBT representatives
 - Met with the Minnesota Grocers Association to obtain their support
 - Developed a comprehensive Universal Product Code (UPC) database of WIC foods
 - Assessed WIC clinic telecommunications capabilities to ensure capacity for an online management information system
 - Received access to a test environment from Chickasaw Nation to view the EBT functionality in the Successful Partners In Reaching Innovative Technology (SPIRIT) management information system in its current state as well as the card reader functionality
 - Currently participating in the SPIRIT Users Group EBT Task Force defining the business requirements for the Universal Interface

Key Stakeholders

1. The Minnesota WIC Program has approximately 1,100 authorized WIC retailers across the state. The planning process must include extensive discussions with the Minnesota Grocer's Association and our vendor community, including our Vendor Advisory Group, to ensure all vendors are fully aware of the impact of moving to EBT and that they have adequate time to voice their concerns and opinions as we evaluate the different methods for implementing EBT.
2. Another important stakeholder is our Local Agency and clinic staff. The Minnesota WIC Program currently serves approximately 125,000 participants per month through 57 Local Agency grantees. Our Local Agencies vary in size from the largest serving approximately 23,000 participants per month, to the smallest serving approximately 30 participants per month. We plan to include Local Agency and clinic staff, including our Local Agency Advisory Group, in EBT discussions to ensure they are fully aware of proposed changes to their workflow and the impact EBT will have on their ability to serve participants.
3. Perhaps the most important stakeholder group is comprised of our participants themselves. We plan to have a process in place as we transition to EBT so that the input of a representative sample of our participants can be obtained to identify their training needs related to the use of the EBT card and ways in which we can help them maximize the use of their benefits each month, identify the WIC foods available in each store and

enhance the WIC shopping experience.

This EBT planning process must encompass a review of all operational (including local agency and retail food store operations) and cost aspects of EBT for both the off-line (Smart Card) and on-line magnetic stripe based systems. The cost analysis and alternative analysis will result in a recommendation for the most efficient and cost-effective solution for WIC EBT in Minnesota.

Project Management

Project Directors - Rick Chiat, WIC Food Delivery Unit Supervisor, Carol Rowe, WIC Operations Unit Supervisor, and Chris Conway, Project Management Coordinator, MN.IT Services @ MDH will be the project directors responsible for ensuring project success. They will work with the project management team, specifically assisting the Contract Project Manager with project matters such as scope clarification, monitoring the progress of the project deliverables timelines and budget and directing others to ensure successful completion of the project.

Contract Project Manager - The successful Responder's Project Manager will be responsible for coordination and management of the planning activities. The Project Manager will organize meetings and ensure the project activities and schedules are completed according to the Project Management Plan and will review all project deliverables for quality and completeness.

Project Sponsor:

The WIC Director -The WIC Director will serve as the project sponsor and provide high level executive leadership.

Project Directors:

WIC Food Delivery Unit Supervisor –Provide contract oversight, participate in project meetings provide input on vendor operations, review documents and oversee all communication and activities related to the planning process for retail vendors. This position represents MN WIC on the Vendor Advisory Committee.

WIC Operations Unit Supervisor –Provide contract oversight, participate in project meetings by providing input on WIC local agency operations, review documents, and oversee local agency planning activities impacted by EBT. The Operations Unit Supervisor also represents the Minnesota WIC Program on the SPIRIT Users Group Executive Steering Committee (ESC).

The **Project Management Coordinator for MN.IT Services at MDH**-Provide contract oversight, participate in project meetings, provide project management expertise and information technology oversight. The Project Management Coordinator is the representative from MN.IT Central for this project.

Key State WIC Professional Staff:

WIC Operations Unit Software Leads (MIS and Vendor) Tami Matti and Alexis Nunez represent the Minnesota WIC Program on the SPIRIT Users Group Change Control Committee and EBT Task force. They will provide input on management information system (MIS) operations, testing and EBT implementation activities.

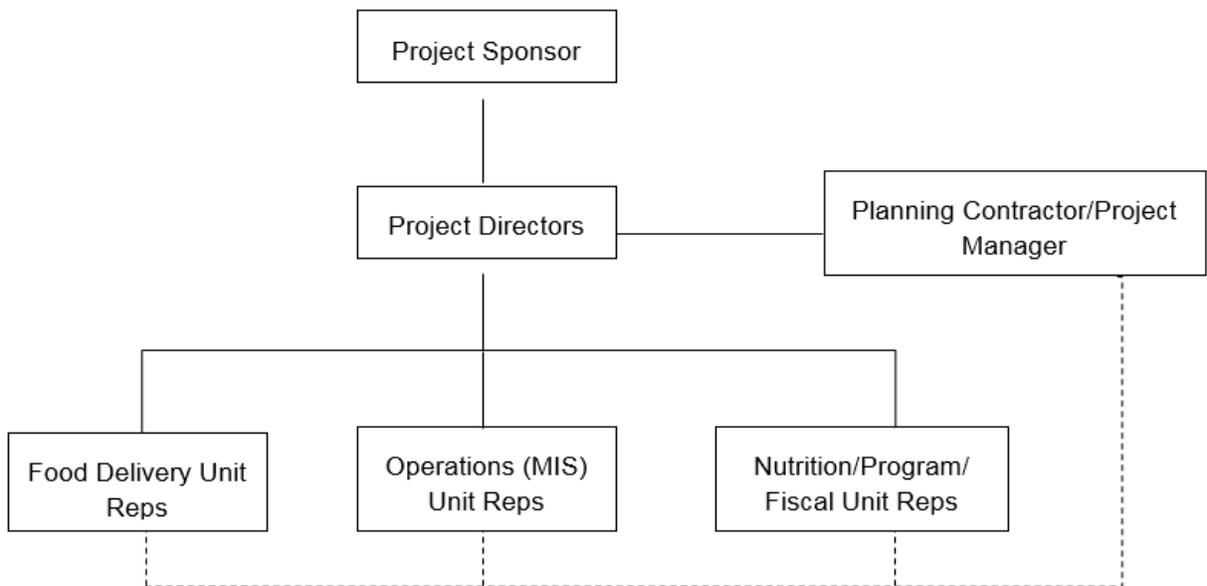
WIC Food Delivery Unit Lead

Mary Rogness has extensive experience in the implementation of the vendor component of our MIS system and has participated on the vendor workgroup for the SPIRIT system. She also has extensive experience in reviewing Federal rules, regulations and policies and in developing Rules for the Minnesota WIC Program.

WIC Fiscal Analyst – The Fiscal Analyst will provide input on fiscal issues related to the EBT transition.

Unit Representatives - Each unit will have representation to provide input on issues related to the EBT transition from their respective area as needed.

EBT Project Management Team



Project Deliverables and Tasks

NOTE: *The responder is encouraged to propose alternative documentation and/or methodologies that include the intent of the following deliverables but will, in the Responder's opinion, deliver a higher quality outcome. The successful Responder shall understand that each deliverable may require several drafts until acceptance and approval is provided by the Minnesota Department of Health WIC Program for the successful Responder to proceed with the final written plan.*

1. **Project Work Plan:** The successful Responder shall develop an exportable Baseline Project Work Plan that identifies all project tasks with planned start and end dates using a product from the Microsoft Office Suite. The Project plan will support the simultaneous completion of the Project Management Plan.
2. **Project Management Plan:** The successful Responder shall develop a Project Management Plan that will describe the approach and strategies the Responder will use to manage the project, including a scope statement, a description of how and when information will be shared with MDH WIC program staff, a detailed breakdown of the work tasks to be accomplished, the role and amount of time spent by the Planning Project Manager and other assigned project staff in completing the required work tasks and the critical success factors for assessing task completion. This plan should utilize related planning documents, such as a communication plan, a risk management plan, and a project schedule, ensuring the project management strategies support the project work plan.
3. **Project Kickoff:** The successful Responder shall schedule an on-site project kickoff meeting with an agenda, for no later than 10 days after the project start date. This project kick-off meeting will include a review of the project work plan and the project management plan. As part of the kick-off, the Responder would be expected to introduce the key planning project personnel including the Planning Project Manager and would meet with designated MDH staff to obtain relevant documentation and information to help the Responder obtain a better understanding of the current Minnesota WIC Program's operations. The Responder shall deliver a kickoff/project report that details items covered and decisions made during the kickoff meeting.
4. **Stakeholder Engagement Plan:** The successful Responder will be expected to develop and implement a plan for communicating with and obtaining input from the primary stakeholders including local agency staff, retailers and participants related to the planning process for EBT. As part of this task the Responder must:
 - a. Local Agencies:
 - i. Conduct a webinar for local agency staff in which the on line and off line EBT options and their impact on clinic operations are reviewed
 - ii. Survey local agency staff to determine what questions they have related to the implementation of EBT and its impact on clinic operations
 - iii. Meet with the local agency advisory group to provide information regarding the EBT options and to obtain feedback about the options. Conduct a follow up meeting with the local advisory group after the EBT recommendations report is

issued.

b. Retailers:

- i. Meet with the vendor advisory group to provide information regarding the EBT options and to obtain feedback on these options. Conduct a follow up meeting with the vendor advisory group after the EBT recommendations report is issued.
- ii. Meet with a separate vendor technology work group to develop a survey that each vendor would be asked to complete. The MN WIC Program will contact retailers to ensure that the survey is completed by an adequate number and representation of stores.
- iii. Conduct a webinar for retailers in which the on line and off line EBT options and their impact on retail operations are reviewed. This webinar would also provide guidance on the content of the survey and the timeline for completion.

c. Participants

- i. Conduct a survey of a sample of WIC participants to identify their needs and issues in transitioning to the WIC EBT system.
- ii. Identify available technological enhancements to assist participants in maximizing the use of their benefits each month, identifying the WIC foods available in each store and how they can easily obtain help if they lose their card or pin number or if they have questions regarding how to shop with their EBT card or obtain their remaining balances.
- iii. Identify training options for participants including for those individuals who have limited proficiency in the English language.

5. **Financial Considerations/ Cost Analysis Report:** The successful Responder must make a recommendation about how EBT can be an operationally, cost-effective and affordable solution for Minnesota. The report shall review the cost of the current paper benefit delivery system and estimate startup costs and ongoing operational costs for each of the EBT delivery options and the impact of these costs on the Minnesota WIC Program's future budget. The cost analysis will at a minimum include: the Minnesota Department of Health Paper Benefit Delivery System, On-Line Delivery System and Off-Line (Smart Card) Delivery System. The USDA/FNS National Cost Model <http://www.fns.usda.gov/apd/wic-ebt-document-library> or an acceptable alternative data collection tool for the cost analysis must be used. The cost analysis report must also:
- a. Recommend how the current Banking Contract should be modified and transitioned to EBT.
 - b. Identify other costs that would be eliminated as a result of EBT efficiencies gained and new costs related to EBT operations including equipment purchases and potential monthly contractor fees.
 - c. Evaluate the projected costs, including long term operating costs of the card technologies- both on-line and off-line (Smart card).
 - d. Assess whether economies of scale, simplified administration, or linkages with other benefit programs are feasible or justified as we consider possible collaborations with the Supplemental Nutrition Assistance Program (SNAP) or other state agency WIC programs using EBT.
 - e. Consider the items outlined in Handbook 901, Section 4.2.3.2.

6. **Alternative Analysis Report:** The Contractor shall develop an Alternative Analysis Report considering MDH's financial and infrastructure readiness for implementing an EBT program with a number of vested stakeholders. This report should specifically include assessments of State and Local Agencies, authorized retailers, and the financial entity issuing retailer payments. At a minimum the Contractor will analyze the following to determine the stakeholder's readiness status:
 - a. Briefly review the Minnesota Department of Health WIC Information System (IS) capability for supporting the recommended EBT program. Since the WIC IS is a SPIRIT SAM, we expect the review to be minimal as other SPIRIT SAM states that share the source code are EBT operational or will be operational.
 - b. Evaluate local service sites for necessary hardware or network capabilities.
 - c. Evaluate business impact on local agency clinics
 - d. Identify training needs of local agency staff
 - e. Assess retailers' readiness for EBT. Survey WIC authorized vendors for infrastructure capacity including equipment needs, technical skills, ability to manage an EBT program, and willingness to integrate EBT into the store's electronic cash register (ECR) system.
 - f. Evaluate and propose alternative solutions for vendors who lack ECR systems. Ensure that the survey includes remote geographic areas of the state, as well as varying sizes and business models of stores.
 - g. Identify the stores which are capable of using an integrated EBT system and the stores which will require a stand-alone system
 - h. Review the impact of an EBT program on the retailer's financial payments
 - i. Evaluate available State agency staff and equipment and current method of processing paper food instruments to assess whether ongoing EBT needs will be best handled by internal staff or an EBT processor.

7. **Technical Solution and Plan: Review of Best Practices and EBT Recommendations Report:** The successful Responder shall develop an EBT Recommendations Report which includes a review of best practices in other states and recommends the best EBT solution for Minnesota given our unique WIC environment and the identified needs of our stakeholder groups. The report must:
 - a. Identify best practices and lessons learned from other state agency EBT projects.
 - b. Compare the on line and offline EBT solutions in the Minnesota WIC environment.
 - c. Recommend an approach for a proposed EBT solution along with an implementation schedule.
 - d. Estimate project costs, including long term operating costs.
 - e. Develop an estimated timeline that includes a two to five year plan for the implementation of EBT.
 - f. Address risk and security issues of the EBT technologies.
 - g. Assess any obstacles that the MDH WIC program may encounter that could prevent compliance with the 2020 mandate.

The successful Responder shall facilitate a meeting with MDH staff to present the report, review recommendations and coordinate next steps. The Responder will subsequently

meet with the Local WIC Advisory Group and the WIC Vendor Advisory Group to review the recommendations and to answer any questions.

8. **Implementation Advanced Planning Document (IAPD):** The successful Responder must prepare the required IAPD as defined by [FNS Handbook 901](#) and specified in Section 4.2 and any additional instructions provided by FNS or the MDH WIC program staff. The IAPD must be based on the conclusions and recommendations from the EBT planning process. The IAPD must be approved by FNS as part of acceptance for this deliverable.

9. **Implementation Request for Proposal(s) (IRFP):** The successful Responder must prepare an IRFP based on the conclusions and recommendations from the EBT planning process. The IRFP must be approved by FNS as part of acceptance for this deliverable.

10. **Bi-Weekly Status Meetings / Reports:** The successful Responder shall schedule and facilitate bi-weekly status meetings with MDH project staff, providing project status updates. In addition, the Contractor will provide a monthly status report that includes the necessary metrics and project information, including but not limited to, the status, progress, issues, costs, and risks of the project and any issues that need to be resolved.

Project Milestones and Preliminary Project Schedule

ACTIVITY/MILESTONE	RESPONSIBLE	START	END
Prepare/Submit Planning APD (PAPD)	WIC State Agency	02/01/2014	03/26//2014
Review/Approve PAPD	FNS	03/26/2014	06/01/2014
Visit two EBT States	WIC State Agency	05/01/2014	09/01/2014
Visit one Store Certification	WIC State Agency	07/01/2014	12/31/2014
Prepare/Submit Planning Contractor RFO	WIC State Agency	06/01/2014	07/15/2014
Review/Approve Planning Contractor RF)	FNS/State Procurement	07/15/2014	09/15/2014
Release Planning RFO	WIC State Agency	11/2014	01/2015
Select and Negotiate Planning Contractor Contract	WIC State Agency	01/2015	02/2015
Review/Approve Planning Contractor Contract	FNS/State Procurement	02/2015	03/2015
Award Planning Contract	WIC State Agency	04/2015	04//2015
Contract Kick-off meeting	WIC State Agency	04/2015	04/2015
Meet with Local Agency Group,	WIC State	04/2015	06/2015

Conduct Local Agency Webinar, and Survey Local Agency Staff	Agency/Planning Contractor		
Meet with Vendor Advisory Group, and Vendor Technology Group, Design Survey, Conduct Retailer Webinar, Administer Vendor Survey and Tally Results	WIC State Agency/Planning Contractor	04/2015	06/2015
Survey a sample of WIC participants regarding their perceptions of EBT	WIC State Agency/Planning Contractor	04/2015	06/2015
Prepare/Submit IAPD and IRFP	WIC State Agency, Planning contractor	04/01/2015	09/01/2015
State Review IRFP	WIC State Agency/State Procurement	09/01/2015	12/01/2015
Federal Review IAPD and IRFP	FNS	12/01/2015	02/15/2016
Release IRFP	WIC State Agency	02/15/2016	05/15/2016
Select and Negotiate Implementation Contract	WIC State Agency	05/15/2016	07/15/2016
Review/ Approve Implementation contract	FNS/State Procurement	07/15/2016	10/15/2016
Award Contract and Conduct Kick off	WIC State Agency	11/15/2016	11/15/2016
Design and Development	WIC State Agency/Contractor	2017	2018
UAT	IContractor/WIC SA	2018	2018
Pilot	IContractor/WIC SA	2018	2019
Initiate Rollout	IContractor/WIC SA	2019	2020
Full Operation	IContractor/WIC SA	2020	2020

Project Requirements

- The project must comply with applicable industry and agency standards including the Project Management Institute (PMI) Project Management Body of Knowledge (PMBOK) and the International organization (ISO).
- The IAPD and IRFP must comply with the current USDA – Food and Nutrition Service (FNS) operating rules, the Technical Implementation Guide (TIG) and the Universal Interface specifications.
- All duties performed by the successful Responder must be in accordance with applicable Minnesota and Federal law
- All written deliverables must be submitted in a standard electronic format

Project Environment - Selected Responder Staff Roles and Responsibilities

The successful Responder shall be responsible for providing the necessary staffing and expertise to complete the various tasks and activities outlined in Project Deliverables and Tasks section of this RFO. All contractor personnel shall be available during normal Minnesota business hours (8am to 5pm Central Time). Availability may be satisfied by telephone communications, aside from the rare occasion that physical attendance is required.

Contractor staff may not be added, reassigned, or replaced during the project without the prior consent of MDH. Should a key staff position be vacated, the Contractor shall provide for continuity of the position's responsibilities with a qualified replacement made available within ten (10) business days, subject to the review and approval of the MDH Project Directors.

MDH reserves the right to request alternative staff, and require a change in the Contractor's project personnel. MDH reserves the right to approve all Contractor staff assigned to this project.

Required Skills

The following will be evaluated on a pass/fail basis. The successful Responder must pass all of the following items.

- The successful Responder must be listed on State of Minnesota's Department of Administration and the Office of Minnesota Information Technology Services Seeking IT Expertise (SITE) program;
- The successful Responder must be listed in at least one of the following Office of Enterprise Technology Master Contract resource type(s)/ categories: Analyst, Program/Project Management, Quality Assurance
- The successful responder must have at least three (3) years of WIC Information Systems EBT planning experience that includes extensive knowledge of both on-line and smart card WIC EBT technologies and demonstrated professional planning and project management experience to recommend a cost effective EBT solution or similar experience.
- Minimum of 3 recent similar or relevant projects.
- The successful Responder must provide a Project Manager with at least 2 years of EBT planning experience who has written at least two approved WIC EBT Implementation Advance Planning Documents and WIC EBT Implementation RFPs, or similar experience.

Desired Skills

- It is highly desired that the Project Manager be PMP certified.

Process Schedule

Deadline for Questions	2 weeks after posted date; 4:00PM CST
Anticipated Posted Response to Questions	4 weeks after posted date; 4:00PM CST
Proposals due	8 weeks after posted date; 4:00PM CST
Anticipated proposal evaluation begins	8 weeks after posted date; 4:00PM CST
Anticipated proposal decision	14 weeks after posted date; 4:00PM CST

Questions

Any questions regarding this Request for Offers should be submitted via e-mail according to the date and time listed in the process schedule to:

Name: Carol Rowe

Organization: Minnesota Department of Health

Email Address: Carol.Rowe@state.mn.us

Questions and answers will be posted via an addendum to the RFO on the Office of MN.IT Services website (<http://mn.gov/buyit/14atm/rfo/active.html>) according to the process schedule above.

Other persons ARE NOT authorized to discuss this RFO or its requirements with anyone throughout the selection process and responders should not rely on information obtained from non-authorized individuals. If it is discovered a Responder contacted other State staff other than the individual above, the responder's proposal may be removed from further consideration.

The STATE reserves the right to determine if further information is needed to better understand the information presented. This may include a request for a presentation.

RFO Evaluation Process

An evaluation committee will review accepted proposals. The proposals must consist of a detailed work plan, qualification and a cost proposal as outlined in the Response Requirements section. A 100-point scale will be used to create the final evaluation recommendation. The factors and weighting on which proposals will be scored are:

- Project Description and Work Plan: *30 points*
- Qualifications and Experience of personnel working on the project and % FTE dedicated to this project: *40 points*
- Cost Proposal and Detail: *30 points*

Total: 100 points

The MDH may require a Responder to clarify their submission documents or to make a presentation in MDH's St. Paul offices, at the expense of the Responder.

The WIC Program reserves the right to amend the RFO prior to the opening of the proposal. The state is not liable for costs incurred by any respondent prior to the issuance of any contract. Amendments, clarifications, and updates will be posted on the Office of MN.IT Services website (<http://mn.gov/buyit/14atm/rfo/active.html>). It is the responsibility of the Respondent to monitor and obtain any amendments prior to the submittal of any proposal.

This Request for Offers does not obligate the state to award a work order or complete the assignment, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest. The Organization reserves the right to reject any and all proposals.

General Contract Negotiation and Award Process

The General Contract Negotiation and Award process will follow State of Minnesota standard practices. The State reserves the right to negotiate the “Best and Final” offer.

Response Requirements

Include the following:

1. Introduction
2. Company Overview
 - Company history, growth
 - Current financial data if publicly available
 - Services provided by the organization
3. Qualifications and Staffing Plan
 - Three (3) narrative descriptions of recent similar or relevant projects. Project descriptions must include the client’s name, period of performance, contract amount, and description of services provided. Include the reference name, reference email, reference phone number along with the project descriptions. Project descriptions should demonstrate the Responder’s knowledge and understanding of the WIC Program and EBT. If the Responder wishes to present more than three (3) project descriptions, additional project descriptions should be submitted in an appendix.
 - Provide an organizational chart that indicates the names and titles of the Planning Project Manager and other project team personnel for the project. Indicate the percent time the Planning Project Manager and the other project team personnel will be assigned to the Minnesota project as well as percent time assigned to any concurrent projects
 - List all personnel or subcontractors who will conduct the project, detailing their qualifications, credentials, training, work experience with WIC EBT systems and planning activities. No change in personnel assigned to the project will be permitted without the written approval of the state program manager.
 - Resumes must be included for all proposed staff. Resumes must include all relevant project experience (include period of performance), relevant education and training, and a professional summary. Resumes or other information about project personnel 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 proposal that personal contact information is being provided.
 - Any changes by the successful Responder to the proposed project team personnel must be approved by MDH. Substituted staff must be approved by

MDH, have comparable experience to proposed staff, and must provide resumes.

4. Project Description and Work Plan

- The statement of objectives, goals and tasks to show or demonstrate the Responder's view of the nature of this project
- A detailed work plan including a description of tasks and deliverables to be accomplished and to be used as a scheduling and managing tool.
- Confirmation of intent to comply with the proposed schedule of the timeline of deliverables or propose modifications to the timeline with submission of the work plan.
- Communication methods to be used to document progress, such as status reports and technical bulletins.
- Contract and change management procedures
- Identification of the level of the MDH's participation in the project, as well as any other services to be provided by the MDH

5. Cost Proposal

- A cost proposal that references the deliverables and tasks outlined in the RFO. This is to be used as the basis for invoicing.
- The cost proposal must provide a firm, fixed price for each deliverable, and must be sent as a separate document.

6. Required forms to be returned or additional provisions that must be included in response including:

Conflict of interest statement as it relates to this project

Additional Statement and forms:

required forms to be returned or additional provisions that must be included in proposal

- a) Affirmative Action Certificate of Compliance (if over \$100,000, including extension options) <http://www.mmd.admin.state.mn.us/doc/affaction.doc>
- b) Equal Pay Certificate Form (if proposals exceeds \$500,000, including extension options)
<http://www.mmd.admin.state.mn.us/doc/equalpaycertificate.doc>
- c) Affidavit of non-collusion
<http://www.mmd.admin.state.mn.us/doc/noncollusion-2.doc>
- d) Certification Regarding Lobbying (if over \$100,000, including extension options)
<http://www.mmd.admin.state.mn.us/doc/lobbying.doc>
- e) Veteran-Owned/Service Disabled Veteran-Owned Preference Form (if applicable)
<http://www.mmd.admin.state.mn.us/doc/vetpref.doc>
- f) Resident Vendor Form (if applicable)
<http://www.mmd.admin.state.mn.us/doc/residentvendorform.doc>

Proposal Submission Instructions

- Response Information:
 - Address response to: Carol Rowe
 - Where to respond: carol.rowe@state.mn.us
 - How to label the response: Response to WIC EBT Planning Project RFO
- Submission is by e-mail **only** by an authorized member of the firm
- Submissions are due according to the process schedule previously listed.
- **A copy of the response must also be sent to MNIT.SITE@state.mn.us for vendor performance tracking.**
- **You must submit an email with your response or email notification that you will not respond to MNIT.SITE@state.mn.us. Failure to do either of these tasks will count against your program activity and may result in removal from the program.**

General Requirements

Proposal Contents

By submission of a proposal, Responder warrants that the information provided is true, correct and reliable for purposes of evaluation for potential award of this work order. The submission of inaccurate or misleading information may be grounds for disqualification from the award as well as subject the responder to suspension or debarment proceedings as well as other remedies available by law.

Liability - Indemnification

In the performance of this contract by Contractor, or Contractor's agents or employees, the contractor must indemnify, save, and hold harmless the State, its agents, and employees, from any claims or causes of action, including attorney's fees incurred by the state, to the extent caused by Contractor's:

- 1) Intentional, willful, or negligent acts or omissions; or
- 2) Actions that give rise to strict liability; or
- 3) Breach of contract or warranty.

The indemnification obligations of this section do not apply in the event the claim or cause of action is the result of the State's sole negligence. This clause will not be construed to bar any legal remedies the Contractor may have for the State's failure to fulfill its obligation under this contract.

Disposition of Responses

All materials submitted in response to this RFO will become property of the State and will become public record in accordance with Minnesota Statutes, section 13.591, after the evaluation process is completed. Pursuant to the statute, completion of the evaluation process occurs when the government entity has completed negotiating the contract with the selected vendor. If the Responder submits information in response to this RFO that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, Minn. Stat. § 13.37, the Responder must: clearly mark all trade secret materials in its response at the time the response is submitted, include a statement with its response justifying the trade secret designation for each item, and defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials,

and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFO, the Responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the Responder to be proprietary or trade secret materials.

Conflicts of Interest

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict. The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances which could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, a vendor is unable or potentially unable to render impartial assistance or advice to the State, or the vendor's objectivity in performing the contract work is or might be otherwise impaired, or the vendor has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division ("MMD") which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to MMD, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor, and the terms "contract," "contractor," and "contracting officer" modified appropriately to preserve the State's rights.

IT Accessibility Standards

All documents and other work products delivered by the vendor must be accessible in order to conform with the State Accessibility Standard. Information about the Standard can be found at: <http://mn.gov/oet/policies-and-standards/accessibility/>.

Preference to Targeted Group and Economically Disadvantaged Business and Individuals

In accordance with Minnesota Rules, part 1230.1810, subpart B and Minnesota Rules, part 1230.1830, certified Targeted Group Businesses and individuals submitting proposals as prime contractors will receive a six percent preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors will receive a six percent preference in the evaluation of their proposal. Eligible TG businesses must be currently certified by the Materials Management Division prior to the solicitation opening date and time. For information regarding certification, contact the Materials Management Helpline at 651.296.2600, or you may reach the Helpline by email at mmdhelp.line@state.mn.us. For TTY/TDD communications, contact the Helpline through the Minnesota Relay Services at 1.800.627.3529.

Veteran-Owned Preference

In accordance with Minn. Stat. § 16C.16, subd. 6a, (a) Except when mandated by the federal government as a condition of receiving federal funds, the commissioner shall award up to a six percent preference on state procurement to certified small businesses that are majority-owned and operated by:

1. recently separated veterans who have served in active military service, at any time on or after September 11, 2001, and who have been discharged under honorable conditions from active service, as indicated by the person's United States Department of Defense form DD-214 or by the commissioner of veterans affairs;
2. veterans with service-connected disabilities, as determined at any time by the United States Department of Veterans Affairs; or
3. any other veteran-owned small businesses certified under section 16C.19, paragraph (d).

In accordance with Minn. Stat. § 16C.19 (d), a veteran-owned small business, the principal place of business of which is in Minnesota, is certified if it has been verified by the United States Department of Veterans Affairs as being either a veteran-owned small business or a service disabled veteran-owned small business, in accordance with Public Law 109-461 and Code of Federal Regulations, title 38, part 74.

To receive a preference the veteran-owned small business must meet the statutory requirements above by the solicitation opening date and time.

If you are claiming the veteran-owned preference, **attach documentation, sign and return the Veteran-Owned Preference Form with your response to the solicitation.** Only eligible veteran-owned small businesses that meet the statutory requirements and provide adequate documentation will be given the preference.

Foreign Outsourcing of Work Prohibited

All services under this contract shall be performed within the borders of the United States. 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 tiers.

Work Force Certification

For all contracts estimated to be in excess of \$100,000, responders are required to complete the Affirmative Action Certificate of Compliance and return it with the response. As required by Minnesota Rule 5000.3600, "It is hereby agreed between the parties that Minnesota Statute § 363A.36 and Minnesota Rule 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it. A copy of Minnesota Statute § 363A.36 and Minnesota Rule 5000.3400 - 5000.3600 are available upon request from the contracting agency."

Equal Pay Certification

If the Response to this solicitation could be in excess of \$500,000, the Responder must obtain an Equal Pay Certificate from the Minnesota Department of Human Rights (MDHR) or claim an exemption prior to contract execution. A responder is exempt if it has not employed more than 40 full-time employees on any single working day in one state during the previous 12 months. Please contact MDHR with questions at: 651-539-1095 (metro), 1-800-657-3704 (toll free), 711 or 1-800-627-3529 (MN Relay) or at compliance.MDHR@state.mn.us.

Federal Procurement Requirements

The bidder must be in compliance with the following federal contract procurement requirements:

Equal Employment Opportunity

Executive Order 11246, entitled "Equal Employment Opportunity", as amended by Executive Order 11375, and as supplemented by the Department of Labor Regulations (41 CFR Part 60): The Executive Order prohibits federal contractors and federally-assisted construction contractors and subcontractors who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin. The Executive Order also requires Government contractors to take affirmative action to ensure that equal opportunity is provided in all aspects of their employment.

Clean Air Act

The Clean Air Act, Section 306 stipulates:

- a. No Federal agency may enter into any contract with any person who is convicted of any offense under section 113(c) for the procurement of goods, materials, and services to perform such contract at any facility at which the violation which gave rise to such conviction occurred if such facility is owned, leased, or supervised by such person. The prohibition in the preceding sentence shall continue until the Administrator certifies that the condition giving rise to such a conviction has been corrected. For convictions arising under section 113(c)(2), the condition giving rise to the conviction also shall be considered to include any substantive violation of this Act associated with the violation of 113(c)(2). The Administrator may extend this prohibition to other facilities owned or operated by the convicted person.
- b. The Administrator shall establish procedures to provide all Federal agencies with the notification necessary for the purposes of subsection (a).
- c. In order to implement the purposes and policy of this Act to protect and enhance the quality of the Nation's air, the President shall, not more than 180 days after enactment of the Clean Air Amendments of 1970 cause to be issued an order (1) requiring each Federal agency authorized to enter into contracts and each Federal agency which is empowered to extend Federal assistance by way of grant, loan, or contract to effectuate the purpose and policy of this Act in such contracting or assistance activities, and (2) setting forth procedures, sanctions, penalties, and such other provisions, as the President determines necessary to carry out such requirement.
- d. The President may exempt any contract, loan, or grant from all or part of the provisions of this section where he determines such exemption is necessary in the paramount interest of the United States and he shall notify the Congress of such exemption. The President shall annually report to the Congress on measures taken toward implementing the purpose and intent of this section, including but not limited to the progress and problems associated with implementation of this section. [42 U.S.C. 7606]
- e. The President shall annually report to the Congress on measures taken toward implementing the purpose and intent of this section, including but not limited to the progress and problems associated with implementation of this section. [42 U.S.C. 7606]

Clean Water Act

The Clean Water Act, Section 309 stipulates:

a. No Federal agency may enter into any contract with any person who has been convicted of any offense under Section 309(c) of this Act for the procurement of goods, materials, and services if such contract is to be performed at any facility at which the violation which gave rise to such conviction occurred, and if such facility is owned, leased, or supervised by such person. The prohibition in preceding sentence shall continue until the Administrator certifies that the condition giving rise to such conviction has been corrected.

The Administrator shall establish procedures to provide all Federal agencies with the notification necessary for the purposes of subsection (a) of this section.

In order to implement the purposes and policy of this Act to protect and enhance the quality of the Nation's water, the President shall, not more than 180 days after the enactment of this Act, cause to be issued an order:

1. requiring each Federal agency authorized to enter into contracts and each Federal agency which is empowered to extend Federal assistance by way of grant, loan, or contract to effectuate the purpose and policy of this Act in such contracting or assistance activities, and
2. setting forth procedures, sanctions, penalties, and such other provisions, as the President determines necessary to carry out such requirement.

The President may exempt any contract, loan, or grant from all or part of the provisions of this section where he determines such exemption is necessary in the paramount interest of the United States and he shall notify the Congress of such exemption.

The President shall annually report to the Congress on measures taken in compliance with the purpose and intent of this section, including, but not limited to, the progress and problems associated with such compliance.

(1) No certification by a contractor, and no contract clause, may be required in the case of a contract for the acquisition of commercial items in order to implement a prohibition or requirement of this section or a prohibition or requirement issued in the implementation of this section.

(2) In paragraph (1), the term "commercial item" has the meaning given such term in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

Anti-Lobbying Act

The Anti-Lobbying Act prohibits the recipients of Federal contracts, grants, and loans from using appropriated funds for lobbying the Executive or Legislative branches of the Federal government in connection with a specific contract, grant, or loan. As required by Section 1352, Title 31 of the U.S. Code and implemented at 34 CFR Part 82 for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Section 82.105 and 82.110, the applicant certifies that:

a. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;

b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

c. The undersigned shall require that the language of this certification be include in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

Americans with Disabilities Act

This Act (28 CFR Part 35, Title II, Subtitle A) prohibits discrimination on the basis of disability in all services, programs, and activities provided to the public and State and local governments, except public transportation services.

Drug-Free Workplace Statement

The Federal government implemented the Drug Free Workplace Act of 1988 in an attempt to address the problems of drug abuse on the job. It is a fact that employees who use drugs have less productivity, a lower quality of work, and a higher absenteeism, and are more likely to misappropriate funds or services. From this perspective, the drug abuser may endanger other employees, the public at large, or themselves. Damage to property, whether owned by this entity or not, could result from drug abuse on the job. All these actions might undermine public confidence in the services this entity provides. Therefore, in order to remain a responsible source for government contracts, the following guidelines have been adopted:

- a. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the work place.
- b. Violators may be terminated or requested to seek counseling from an approved rehabilitation service.
- c. Employees must notify their employer of any conviction of a criminal drug statue no later than five days after such conviction.
- d. Contractors of federal agencies are required to certify that they will provide drug-free workplaces for their employees.

Transactions subject to the suspension/debarment rules (covered transactions) include grants, subgrants, cooperative agreements, and prime contracts under such awards. Subcontracts are not included. Also, the dollar threshold for covered procurement contracts is \$25,000. Contracts for Federally required audit services are covered regardless of dollar amount.

Debarment and Suspension

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110.

The applicant certifies that it and its principals:

3. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
4. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
5. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
6. Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

Royalty-Free Rights to Use Software or Documentation Developed

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