



**STATE OF NEW HAMPSHIRE DEPARTMENT OF
BUSINESS AND ECONOMIC AFFAIRS NH Digital Equity
Planning Grant Plan (Infrastructure Investment and Jobs
Act) RFP DBEA 2023-15**

SECTION 1 – Overview and Schedule

A. Executive Summary

The New Hampshire Department of Business and Economic Affairs (BEA) is the Administering Entity for the Digital Equity Planning Grant. This grant is provided by the National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce. BEA has determined it would like to issue a subgrant to another entity (or entities) – as noted in Section 60304(c)(3)(E) of the Infrastructure Act – to write the digital equity plan on the agency’s behalf.

New Hampshire recognizes the valuable opportunity the Digital Equity Planning Grant provides in developing a plan to address digital equity challenges in the state. These challenges affect all covered populations in some way, and many of them in more extensive ways. These challenges include lack of fast and reliable broadband internet infrastructure, the inability to access broadband – either through affordability or lack of proper access devices, the need to provide meaningful digital literacy to represented populations, and finally, the resources to make these digital equity efforts sustaining.

BEA is seeking proposals from qualified, independent researchers, consultants, research or consulting groups, institutions, or firms with at least ten (10) years of experience in (1) research, data collection and analysis and (2) working with state and/or local governments, community organizations, and other stakeholders to develop the State Digital Equity Plan for New Hampshire. The details of this program are listed within the Digital Equity Notice of Funding Opportunity (NOFO), which is included as Attachment F. The State anticipates awarding this contract to a single applicant for a term of one year.

BEA will provide a portion of the allocated Digital Equity Planning Grant, a total not to exceed \$520,000 for the fulfilling the requirements set forth in this RFP.

The successful vendor will enter a contract with BEA. The vendor will be required to ensure compliance with all federal guidance, including the applicable requirements of the Code of Federal Regulations Part 200 (Uniform Guidance) or 2 CFR 200 (in particular, [2 CFR 200.403](#), which explains allowable costs). A copy of 2 CFR 200.403 will be included as part of the RFP package as “Attachment F.”

The Digital Equity Plan must be completed by Sept. 22, 2023. The State can apply for an extension however this must be approved by NTIA.

Schedule

The following table provides a Schedule of Events for this RFP through contract finalization and approval. The Agency reserves the right to amend this Schedule at its sole discretion and at any time through a published Addendum (“Local Time” is Eastern Daylight Time until 2:00 a.m. on Sunday, Nov. 5, 2023, and is Eastern Standard Time afterward).

EVENT	DATE	LOCAL TIME
RFP Released to Proposers (Advertisement)	April 17, 2023	
Proposer Inquiry Period Ends	April 24, 2023	4:00 PM
Final Agency Responses to Proposer Inquiries	May 1, 2023	4:00 PM
Proposers Submit Proposals	May 15, 2023	3:00 PM
Estimated Notification of Selection and Begin Contract Negotiations	May 22, 2023	

SECTION 2 – Description of Agency/Program Issuing the Request for Proposals

The Department of Business and Economic Affairs, home of New Hampshire’s Broadband Office, is dedicated to enhancing the economic vitality of the State of New Hampshire while promoting it as a destination for domestic and international visitors. For more information visit www.nheconomy.com or www.choosenh.com.

SECTION 3 – Proposed Scope of Work

At the request and direction of BEA, the Contractor must provide the following services specifically related to the State Digital Equity Planning Grant Program:

- A. Develop the State Digital Equity Plan of the State.
 - i. The plan shall include the following information:
 - a. Detailed understanding of the barriers that exist for the covered populations as noted in the State Digital Equity Planning Grant Program NOFO (Attachment G);
 - b. Measurable objectives for the challenges identified in paragraph 2 of this narrative;

- c. A rationale for these objectives and how they will impact the state’s economic, educational, public health, and civic institutions;
- d. A narrative of its outreach process with the organizations that represent covered populations; and
- e. A roadmap for ongoing engagement for the state can continue to engage with covered populations and its affiliated institutions;
- ii. The plan shall also incorporate the following requirements:
 - a. A stated vision for digital equity;
 - b. A digital equity needs assessment, including a comprehensive assessment of the baseline from which the State is working and the State’s identification of the barriers to digital equity faced generally and by each of the covered populations in the State;
 - c. An asset inventory, including current resources, programs, and strategies that promote digital equity for each of the covered populations, whether publicly or privately funded, as well as existing digital equity plans and programs already in place among municipal, regional, and Tribal governments;
 - d. A coordination and outreach strategy, including opportunities for public comment by, collaboration with, and ongoing engagement with representatives of each category of covered populations within the State and with the full range of stakeholders within the State;
 - e. A description of how municipal, regional, and/or Tribal digital equity plans will be incorporated into the State Digital Equity Plan;
 - f. An implementation strategy that is holistic and addresses the barriers to participation in the digital world, including affordability, devices, digital skills, technical support, and digital navigation.
 - g. An explanation of how the implementation strategy addresses gaps in existing state, local, and private efforts to address the barriers identified pursuant to Section IV.C.1.b.i, item 1, of the NOFO;
 - h. A description of how the State intends to accomplish the implementation strategy with state and local agencies;
 - i. A timeline for implementation of the plan; and
 - j. A description of how the State will coordinate its use of State Digital Equity Capacity Grant funding and its use of any funds it receives in connection with the Broadband Equity, Access, and Deployment (BEAD) Program, other federal, or private digital equity funding.

SECTION 4 – Process for Submitting a Proposal

A. Proposal Submission, Deadline, and Location Instructions

Proposals submitted in response to this RFP must be received by the BEA no later than the time and date specified in the Schedule section, herein. **Proposals must be submitted electronically** to the State’s designated Point of Contact: dedrfpresponses@livefree.nh.gov

Emails pertaining to this proposal must be clearly marked in the subject line as follows:

**STATE OF NEW HAMPSHIRE RESPONSE TO NH DIGITAL EQUITY PLANNING
GRANT PLAN RFP DBEA 2023-15**

Unless waived as an immaterial deviation in accordance with Section 6G, late submissions will not be accepted. Delivery of the Proposals shall be at the Proposer’s expense. The time of receipt shall be considered when a Proposal has been officially documented by the Agency, in accordance with its established policies, as having been received at the location designated above. The Agency accepts no responsibility for misaddressed or mislabeled documents not delivered or undeliverable for whatever reason.

All Proposals submitted in response to this RFP must consist of:

- a) One original electronic copy of the Proposal; and
- b) One electronic copy of the Proposal with all Confidential Information fully redacted, as provided for in Section 7E of this RFP.

Applicants should consider file size when submitting an electronic proposal and strive to keep attachments in a single email below 15 megabytes. Multiple emails may be necessary to transmit a single proposal. To guard against responses potentially being overlooked due to being quarantined by the State’s spam protection software, it is strongly recommended that an email with no attachments be sent to the contact person initially stating that email(s) containing a proposal are to follow.

No changes or additions to a proposal will be accepted after the specified due date and time. If necessary, Applicants may be contacted for clarification of information submitted.

Proposers 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 proposal.

B. Proposal Inquiries

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the RFP designated Point of Contact identified in Section 4A.

Inquiries must be received by the Agency's RFP Point of Contact no later than the conclusion of the Proposer Inquiry Period (see Schedule of Events section, herein). Inquiries received later than the conclusion of the Proposer Inquiry Period shall not be considered properly submitted and may not be considered.

The Agency intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section, herein; however, this date is subject to change at the Agency's discretion. The Agency may consolidate and/or paraphrase questions for sufficiency and clarity. The Agency may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Agency. Official responses by the Agency will be made only in writing by the process described above. Vendors shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

C. Restriction of Contact with Agency Employees

From the date of release of this RFP until an award is made and announced regarding the selection of a Proposer, all communication with personnel employed by or under contract with the Agency regarding this RFP is forbidden unless first approved by the RFP Point of Contact listed in the Proposal Inquiries section, herein. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential contractor during the selection process, unless otherwise authorized by the RFP Point of Contact. Proposers may be disqualified for violating this restriction on communications.

D. Validity of Proposal

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting Contract, whichever is later.

SECTION 5 - Content and Requirements for a Proposal

Applicants must follow the proposal format provided below and shall include the following:

Organization and Experience

- Verify SAM registration at www.SAM.gov; and provide printout of SAM registration with application
- Complete “Contractor Data Sheet” (Attachment A).
- A written one-page introductory statement including:
 - Experience in providing services as described in Section 3.
 - Expertise of participating personnel including, but not limited to, those identified in Attachment A and a description of training and development programs that ensure all personnel assigned to contract are capable and qualified.
- Proposals must address strategy, analysis, tactics, and budget of each item listed in Section 3: Scope of Work.
- Demonstrate the Offeror’s financial capability to provide the work described in Section 3: Scope of Work.
- Provide resumes/portfolios of individuals or subcontractors performing major duties and functions under the proposed contract; include role, responsibility, and qualifications.
- Provide relevant case studies.
- An oral presentation of proposed strategy, methodologies, and execution (if requested).
- Provide client references as directed in Attachment A.

SECTION 6 – Evaluation of Proposals

A. Criteria for Evaluation and Scoring

Each responsive Proposal will be evaluated and considered with regard to the following criteria:

- Experience and qualifications of key staff and subcontractors (30 points)
- Overall strategy and approach, methodology (30 points)
- Creativity/Innovation (20 points)
- Ability to mobilize resources quickly to meet planning and funding deadlines (10 points)
- Budget approach and cost effectiveness (10 points)
- Grand Total (100 points)**

If the Agency determines to make an award based on these evaluations, the Agency will notify the selected Proposer(s). Should the Agency be unable to reach agreement with the selected Proposer(s) during Contract discussions, the Agency may then undertake Contract discussions with the next preferred Proposer and so on, or the Agency may reject all proposals, cancel this RFP, or solicit new Proposals under a new acquisition process.

The Agency will select a Proposer based upon the criteria and standards contained in this RFP and from applying the weighting in this section. Oral interviews and reference checks, to the extent they are utilized by the Agency, will be used to refine and finalize scores

B. Planned Evaluations

The Agency plans to use the following evaluation processes:

- Initial screening to ensure that the Proposals are in compliance with submission requirements;
- Oral interviews and Product Demonstrations (if necessary);
- Final Evaluation of Technical Proposals and scoring;
- Review of Price Proposals and final scoring;
- Best and Final Offer (BAFO) if appropriate; and
- Select the highest scoring Proposer (s) and begin contract negotiation.

C. Initial Screening

The Agency will conduct an initial screening step to verify Proposer compliance with the technical submission requirements set forth in the RFP and the minimum content set forth in Section 5 of this RFP. The Agency may waive or offer a limited opportunity to cure immaterial deviations from the RFP requirements if it is determined to be in the best interest of the State.

D. Oral Interviews and Product Demonstrations (if necessary)

If the Agency determines that it is appropriate, proposers may be invited to oral interviews and/or product demonstrations including demonstrations of any proposed automated systems or technology components. The Agency retains the sole discretion to determine whether to conduct oral interviews, with which proposers, and the number of interviews. Proposers are advised that the Agency may decide to conduct interviews with less than all responsive proposers.

The purpose of oral interviews and product demonstrations is to clarify and expound upon information provided in the written Proposals. Proposers are prohibited from altering the basic substance of their Proposals during the oral interviews and product demonstrations. The Agency may ask the Proposer to provide written clarifications of elements in their Technical Proposal regardless of whether it intends to conduct Oral Interviews.

Information gained from oral interviews and product demonstrations will be used to refine technical review scores assigned from the initial review of the Proposals.

E. Final Evaluation of Scoring of Proposals

Following Oral Interviews, Product Demonstrations, Reference Checks (if appropriate) and/or review of written clarifications of proposals requested by the Agency, the evaluation team will determine a final score for each Proposal.

F. No Best and Final Offer

The Proposal should be submitted initially on the most favorable terms which the proposer can offer. There will be no best and final offer procedure. The Proposer should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some or all of the Proposal.

G. Rights of the Agency in Accepting and Evaluating Proposals

The Agency reserves the right to:

- Make independent investigations in evaluating Proposals and consider any source of information, including but not limited to State employees, previous customer experiences, internet research, and rating agencies;
- Conduct a review of past performance using any available resources, including a review of reports, analyses, or other materials that would reflect the Applicant's performance;
- Request additional information to clarify elements of a Proposal;
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State;
- Omit any planned evaluation step if, in the Agency's view, the step is not needed;
- At its sole discretion, reject any and all Proposals at any time; and
- Open contract discussions with the second highest scoring Proposer and so on, if the Agency is unable to reach an agreement on Contract terms with the higher scoring Proposer(s).

SECTION 7 – Terms and Conditions Related to the RFP Process

A. RFP Addendum

The Agency reserves the right to amend this RFP at its discretion, prior to the Proposal submission deadline. In the event of an addendum to this RFP, the Agency, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.

B. Non-Collusion

The Proposer's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and Work quoted have been established without collusion with

other Proposers and without effort to preclude the Agency from obtaining the best possible competitive Proposal.

C. Property of the Agency

All material received in response to this RFP shall become the property of the State and will not be returned to the proposer. Upon Contract award, the State reserves the right to use any information presented in any Proposal.

D. Confidentiality of a Proposal

Unless necessary for the approval of a contract, the substance of a proposal must remain confidential until the Effective Date of any Contract resulting from this RFP. A Proposer's disclosure or distribution of Proposals other than to the Agency will be grounds for disqualification.

E. Public Disclosure

Pursuant to RSA 21-G:37, VII, notwithstanding RSA 91-A:4, information relating to the grant Applications shall remain confidential until the grant contract is approved by the governor and executive council.

The content of each Proposer's Proposal shall become public information upon the award of any resulting Contract. Any information submitted as part of a response to this request for proposal (RFP) may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). However, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to this request for proposal, bid or information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to the agency, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as "CONFIDENTIAL." A designation by the Proposer of information it believes exempt does not have the effect of making such information exempt. The Agency will determine the information it believes is properly exempted from disclosure. Marking of the entire Proposal or entire sections of the Proposal (e.g., pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Proposer pricing will be subject to disclosure upon approval of the contract. The Agency will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to the Agency to view portions of a Proposal that the Proposer has properly and clearly marked confidential, the Agency will notify the Proposer of the request and of the date the Agency plans to release the records. By submitting a Proposal, Proposers agree that unless the Proposer obtains a court order, at its sole expense, enjoining the release of the requested information, the Agency may release the requested information on the date specified in the Agency's notice without any liability to the Proposers.

F. Non-Commitment

Notwithstanding any other provision of this RFP, this RFP does not commit the Agency to award a Contract. The Agency reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

G. Proposal Preparation Cost

By submitting a Proposal, a Proposer agrees that in no event shall the Agency be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting Contract.

H. Ethical Requirements

From the time this RFP is published until a contract is awarded, no bidder 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 an RFP, or similar submission. Any bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any bidder 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 bidding on the RFP, or similar request for submission and every such bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder 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.

I. Challenges on Form or Process of the RFP

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of the Agency at least ten (10) business days prior to the Proposal Submission

Deadline. By submitting a proposal, the Proposer is deemed to have waived any challenges to the agency's authority to conduct this procurement and the form and procedures of this RFP.

SECTION 8 – Contract Terms and Award

A. Non-Exclusive Contract

Any resulting Contract from this RFP will be a non-exclusive Contract. The State reserves the right, at its discretion, to retain other Contractors to provide any of the Services or Deliverables identified under this procurement or make an award by item, part or portion of an item, group of items, or total Proposal.

B. Award

If the State decides to award a contract as a result of this RFP process, any award is contingent upon approval of the Contract by Governor and Executive Council of the State of New Hampshire and upon continued appropriation and availability of funding for the contract.

C. Standard Contract Terms

The Agency will require the successful bidder to execute a Firm Fixed Price Contract using the Standard Terms and Conditions of the State of New Hampshire which is attached as Appendix A.

The Term of the Contract will be from the effective date of the Grant agreement and run for three (3) The contract shall not run longer than three (3) years and all services must be completed by Dec. 31, 2026 (per federal funding guidance).

To the extent that a Proposer believes that exceptions to the standard form contract will be necessary for the Proposer to enter into the Agreement, the Proposer should note those issues during the Proposer Inquiry Period. The Agency will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion. If the Agency accepts a Proposer's exception the Agency will, at the conclusion of the inquiry period, provide notice to all potential proposers of the exceptions which have been accepted and indicate that exception is available to all potential proposers. Any exceptions to the standard form contract that are not raised during the proposer inquiry period are waived. In no event is a Proposer to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.

D. Special Terms to Be Included in A Contract Resulting from This RFP

The selected Applicant will be required to agree to the provisions of the State of New Hampshire Broadband Contract as drafted for CPF funding, all federal requirements related to CPF funding, and any additional provisions based on the specific requirements of this RFP and the Applicant's

response to it. All projects will be subject to a compliance review and/or audit by either the State or the US Department of Treasury or their representatives.

The selected Applicant will be required to provide, in a timely manner, all documents necessary for approval of the contract by the Governor, including, but not limited to:

- 1) A current Certificate of Good Standing from the NH Secretary of State
- 2) A notarized Certificate of Authority for the individual signing the contract
- 3) A Certificate of Insurance naming the State of New Hampshire, Department of Business and Economic Affairs as an additional insured and reflecting the following required coverage:
 - i) Comprehensive General Liability Insurance. The coverage shall have appropriate riders against all claims of bodily injury, death, or property damage, in amounts of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate;
 - ii) Automobile liability coverage; and iii) State of New Hampshire Workers' Compensation, as defined by the state.
- 4) A performance bond meeting the following requirements:
 - i) The bond shall be in an amount equal to the total project's cost; ii) The bond shall be in place for the duration of construction of the award contract and for 3 months after acceptance by the State;
 - iii) The bond must be in the form and substance satisfactory to the State and shall be maintained by the Selected Applicant in full force and effect until three months after project completion and acceptance of the project by the State, as defined by this RFP and the contract;
 - iv) The bond shall be issued by a licensed insurance company authorized to do business in the State of New Hampshire and made payable to the State of New Hampshire. The performance bond shall contain the contract number and dates of performance; and
 - v) The bond shall be executed by the Selected Applicant and their Surety or Sureties, guaranteeing complete execution of the award contract and all supplemental agreements pertaining thereto including the payment of all legal debts pertaining to the project.
 - vi) The Selected Applicant shall bear the full expense of the bond.