



Solicitation for Partnership Proposals for Broker Enrollment Centers-FY 2024

An Innovative Marketing & Sales Program for MNSure's
Broker Enrollment Center Initiative

Date Posted: June 2, 2023

- Responses must be received not later than 2:00 PM, Central Time, on Wednesday July 5, 2023
- Late responses will not be considered

Minnesota's Commitment to Diversity and Inclusion

The State of Minnesota is committed to diversity and inclusion in its public procurement process. The goal is to ensure that those providing goods and services to the State are representative of our Minnesota communities and include businesses owned by minorities, women, veterans, and those with substantial physical disabilities.

Creating broader opportunities for historically under-represented groups provides for additional options and greater competition in the marketplace, creates stronger relationships and engagement within our communities, and fosters economic development and equality.

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

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

This information is available in accessible formats for people with disabilities by contacting MNSure's Accessibility & Equal Opportunity (AEO) office at 651-539-2099 or 855-366-7873 or AEO@MNSure.org.

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Solicitation Attachments

- Appendix 1: Questionnaire
- Appendix 2: Cost Proposal
- Appendix 3: RFP Attachments
 - Attachment A: Responder Declarations
 - Attachment B: Exceptions to State's Standard Terms and Conditions
 - Attachment C: Responder Forms
 - Workforce and Equal Pay Declaration Page

Sample Contract

- Exhibit A: Contract Terms
- Exhibit B: Insurance Terms
- Exhibit C: Data Sharing Agreement

Section 1 – Instructions to Responders

Follow the steps below to complete your response to this Solicitation.

Incomplete Submittals: A response must be submitted along with any required additional documents. Incomplete responses that materially deviate from the required format and content may be rejected.

Step 1: Read the solicitation documents and ask questions, if any

How to Ask Questions

Prospective responders should submit their questions via email to Katie DeGrio Channing, Legal Director:

Katie.degriochanning@state.mn.us

Questions should be emailed by 4 p.m., Central Time, June 19, 2023.

Responses to questions received will be made available on [MNsured's website](https://www.mnsure.org/about-us/rfp-contract/index.jsp) (https://www.mnsure.org/about-us/rfp-contract/index.jsp) by 4 p.m., Central Time, June 27, 2023. MNsure will post generalized answers while maintaining the confidentiality of the potential responder and any specifics about their proposal.

Questions sent to other email boxes such as the Broker Service Line email box or individual MNsure staff member email boxes will not be responded to. Other personnel are NOT authorized to discuss this solicitation with responders at any time during the solicitation period. Contact regarding this solicitation with any MNsure personnel not following the process described therein could result in disqualification. MNsure will not be held responsible for oral responses to responders.

Step 2: Write Your Response

Prepare a written response and supply all requested content by completing the following documents:

- Appendix 1: Questionnaire
- Appendix 2: Cost Proposal
- Appendix 3: RFP Attachments

See the Proposal Requirement section in Section 4 for additional information. Responses should address the requested information and documents detailed in Section 4. **DO NOT INCLUDE** Non-Public/Trade Secret data (as defined by Minn. Stat. § 13.37).

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

Step 3: Submit Your Response

Submit your response via email to: Katie.degriochanning@state.mn.us.

Responses must be received no later than 2 p.m., Central Time, on Wednesday, July 5, 2023. **Late responses will not be considered.** Responses sent by methods other than email (including courier, fax, US mail or express shipment) will not be considered or reviewed.

Submit all requested documentation, including the following documents:

- Appendix 1: Questionnaire
- Appendix 2: Cost Proposal
- Appendix 3: RFP Attachments
 - Attachment A: Responder Declarations
 - Attachment B: Exceptions to State's Standard Terms and Conditions
 - Attachment C: Responder Forms
 - Workforce and Equal Pay Declaration Page

By submitting a response, responder is making a binding legal offer for the period of time set forth below in Section 6, Conditions of Offer.

Section 2 – Summary of Scope

1. Procurement Overview and Goals

MNsure and Minnesota’s brokers face an unprecedented challenge – and opportunity – over the coming year as thousands of Minnesotans will be looking for private plan coverage as the federal continuous coverage requirements end. Like all states, Minnesota has maintained health care coverage for Medical Assistance and MinnesotaCare enrollees during the COVID-19 pandemic. Since March 2020, most Minnesotans who have gained eligibility have remained in public program coverage regardless of changes in their lives that previously would have affected their coverage.

Over this time, enrollment in Medical Assistance and MinnesotaCare has grown by more than 360,000 people, or greater than 30%, to more than 1.5 million Minnesotans. One in four residents living in the state now get their health care coverage through these public health care programs.

Now that continuous coverage policies have ended, most of these 1.5 million individuals will have their eligibility for these programs reviewed through the renewal process at some point between July 2023 and June 2024. MNsure estimates that somewhere between 100,000 and 200,000 Minnesotans will become eligible for private health insurance coverage after completing their renewal.

A strong state broker infrastructure is essential to helping these consumers maintain continuity of coverage through the transition to private health insurance. MNsure will work closely with BECs to connect newly-QHP eligible consumers with the expert assistance of a licensed broker.

MNsure (herein “MNsure” or “State”) is soliciting proposals from broker agencies interested in partnering with MNsure as broker enrollment centers (BECs). MNsure is looking for broker agencies to operate and staff enrollment centers focused on enrolling consumers in qualified health plans (QHPs) in the individual health insurance market. Broker agencies selected as BECs are required to commit between a minimum of \$1,000 and maximum of \$10,000 towards a collaborative MNsure/BEC marketing and outreach campaign (see “Matching Funds Requirement” below).

MNsure is seeking to add BECs in the following regions and counties:

- Region 1: Kittson, Marshall, Norman, Pennington, Polk, Red Lake, and Roseau
- Region 2: Beltrami, Clearwater, Hubbard, Lake of the Woods, and Mahnomen
- Region 4: Becker, Clay, Douglas, Grant, Otter Tail, Pope, Stevens, Traverse, and Wilkin
- Region 7 (select counties): Benton, Sherburne, Stearns, and Wright
- Region 8: Cottonwood, Jackson, Lincoln, Lyon, Murray, Nobles, Pipestone, Redwood, and Rock
- Region 11 (select counties): Dakota, Ramsey, and Washington

Selected agencies must operate and staff a convenient walk-in site or sites for residents of surrounding communities in one or more of the regions as defined by MNsure or communities in a subset of counties in a particular region. Selected agencies may serve a subset of counties in a particular region (they do not necessarily need to serve the full region), as indicated in their proposal. In the event that an agency proposal does not cover a full region, another agency may be selected to cover other areas in the same region.

Selected agencies must also be able to provide over-the-phone/remote and online assistance when requested by consumers.

A map of the regions is available on the [MNsure Assister Funding Opportunities webpage](https://www.mnsure.org/about-us/assister-program/funding-opportunities/index.jsp) (<https://www.mnsure.org/about-us/assister-program/funding-opportunities/index.jsp>).

The goals of the BEC program are to:

- Build a year-round, statewide network of enrollment centers to provide consumers seeking individual market coverage with free and convenient walk-in service locations staffed by Minnesota-licensed and MNsure-certified professionals.
- Sustain a network of expert brokers offering comprehensive support to consumers in all aspects of the process, including submitting applications, selecting plans, responding to notices, reporting changes and renewing coverage.
- Encourage creative outreach and innovative sales and marketing strategies in order to reach consumers.
- Establish broker and navigator relationship models to enhance consumer support.
- Ensure all eligible Minnesotans have the opportunity to take advantage of financial help, including tax credits.

This solicitation will result in multiple award contracts to qualified responders. MNsure will not compensate the selected agencies for the work contemplated in the resulting contracts. In the event a contract is cancelled or needs change, MNsure reserves the right to award contracts to additional responders based on the scoring of the original proposals.

2. Matching Funds Requirement

Broker agencies selected as BECs are required to commit between a minimum of \$1,000 and maximum of \$10,000 towards a collaborative MNsure/BEC marketing and outreach campaign. MNsure is targeting approximately \$45,000 in matching funds to support the broker enrollment centers from September 2023, until June 30, 2024.

Matching funds are to support a collaborative MNsure/BEC marketing and outreach campaign and can be used for the development of creative materials, as well as media planning and buying. MNsure funds will be paid directly to the marketing agency; no funds will be provided directly to BECs.

For example, a BEC contributes \$4,000 to a collaborative MNsure/BEC marketing outreach and campaign. MNsure matches the \$4,000 for a total MNsure/BEC marketing and outreach campaign budget of \$8,000.

Examples of creative materials and media planning and buying could include:

- MNsure signage: High-impact signage designed to direct customers to enrollment centers for help with MNsure enrollment.
- Google paid search: BECs will appear among the top search results when consumers in the area search for certain key words (such as MNsure, health insurance, etc.).
- Local radio advertising: BEC's name and contact information included in local MNsure radio

advertisements.

- Local print advertising: BEC's name and contact information included in print advertisements for local or community newspapers.

3. Eligibility

Minnesota-based broker agencies and sole proprietors are eligible to submit a proposal in response to this solicitation. An individual entity may submit a proposal to operate a BEC in one or more regions of the state or in a subset of counties in a particular region. A separate proposal must be submitted for each region (or for a subset of counties in a particular region if applying to serve an area smaller than a full region). An individual entity may be selected to be a BEC in one or more regions of the state (or in one or more subsets of counties in regions of the state).

4. Scope of Work

Broker agencies selected as BECs are required to:

- Commit between a minimum of \$1,000 and a maximum of \$10,000 towards a collaborative MNsure/BEC marketing and outreach campaign.
- Develop and operate a co-branded MNsure enrollment center or centers to offer education and enrollment services to Minnesotans for the contract period.
- Accept and respond to a high volume of consumer leads from the MNsure Contact Center throughout the year.
- Be available for consumer appointments on key deadline days during open enrollment.
- Submit bi-weekly activity reports to MNsure providing details on the outreach activities, consumer touch points, enrollment activity and the status of referrals provided by MNsure.
- Coordinate with local navigator organizations to offer “no wrong door” application and enrollment opportunities for consumers.
- Collaborate with MNsure to achieve QHP enrollment goals by participating in conference calls, training and networking meetings organized by MNsure.
- Maintain active Minnesota producer licensure, maintain certification as a MNsure broker, and be appointed by all health insurance companies offering plans through MNsure in their region.

MNsure will support selected BECs by:

- Providing matching funds towards the collaborative MNsure/BEC marketing and outreach campaign. MNsure funds will be paid directly to the marketing agency; no funds will be provided directly to BECs.
- Sending consumer referrals via email to BECs on a regular basis throughout the year. These referrals contain contact information for consumers who have reached the MNsure Contact Center seeking assistance applying for and/or enrolling in a qualified health plan.
- Highlighting BECs on MNsure’s website. To see how MNsure currently highlights the enrollment centers, visit MNsure’s [Broker Enrollment Centers](https://www.mnsure.org/help/find-assister/broker-enrollment-centers.jsp) webpage (<https://www.mnsure.org/help/find-assister/broker-enrollment-centers.jsp>).
- Providing BECs with priority access to MNsure’s Broker Line.

While it is our hope that these partnerships will lead to an increase in QHP enrollments through MNsure and a further reduction in Minnesota’s uninsured, it is of primary importance that the consumer receives the most suitable plan for their health care needs.

Section 3 – Proposal Instructions and Additional Information

1. Anticipated Contract Term

The term of this contract is anticipated to be from September 2023 through June 30, 2024. At MNsure’s sole discretion, contracts can be extended for an additional year, not to exceed a total contract term of four years.

2. Question and Answer Instructions

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

Only personnel listed in the “How to Ask Questions” section of this solicitation are authorized to discuss this solicitation with responders. Contact regarding this solicitation with any personnel not listed above could result in disqualification. This provision is not intended to prevent responders from seeking guidance from state procurement assistance programs regarding general procurement questions.

If a Responder discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in the solicitation, please immediately notify the contact person in the “How to Ask Questions” section in writing of such error and request modification or clarification of the document.

3. Solicitation Schedule

Activity	Date	Day
Solicitation release date	June 2, 2023, by 4 p.m. Central time	Friday
Applicant webinar	June 14, 2023, 10 a.m. Central time	Wednesday
Applicant questions are due	June 19, 2023, 4 p.m. Central time	Monday
MNsure response to questions posted	June 27, 2023, by 4 p.m. Central time	Tuesday
Proposals due	July 5, 2023, 2 p.m. Central time	Wednesday
Finalists notified	Early August, 2023 (estimate)	
Contract negotiations completed	September 2023 (estimate)	

The State anticipates implementation of these contracts to commence on or about September 2023.

Section 4 – Proposal Requirements

Responders must follow the instructions within this MNsure solicitation, and complete and submit all required forms and narrative requirements as detailed in Section 1. These forms are located in Appendix 1, 2, and 3 of this solicitation. For most of the proposal sections, applicants will be required to respond to a series of questions and open text boxes to provide their narrative response. Please see Section 1 of this solicitation for instructions on submitting proposals.

Responders applying to operate an enrollment center in more than one region must submit a separate application for each region.

Please submit the following information in Appendix 1:

1. Overall Plan

Applicants must describe the overall plan for operating an enrollment center (or centers) in the selected region and their proposed strategies for educating and enrolling consumers in health insurance coverage through

MNsure. The plan should cover proposed activities for September 2023 to June 30, 2024.

Applicants will be scored on your response to the following:

- **Geographic Area:** Identify the region number from the list of available regions in Section 2 of the solicitation and list the specific counties within the region that will be served.
- **Market assessment:** Provide a current market assessment, including an assessment of the uninsured in the proposed region and/or an analysis of the geographic or regional gaps, challenges, etc.
- **Target market:** Describe your target market, including a description of the demographic, geographic, business and/or economic segments that you plan to target with your broker enrollment center (or centers) and a justification for doing so.
- **Enrollment strategies and goals:** Indicate your enrollment goals for the contract period for retaining and expanding enrollments through MNsure. Describe the strategies you will use to expand your book of business through MNsure, as well as strategies for successfully renewing current consumers through MNsure.
- **Capacity:** Explain how you will accommodate increased demand during the 2024 open enrollment period which is anticipated to run November 1, 2023, to January 15, 2024. Describe your ability to provide services to all consumers and plans for offering year-round service to support the increase in demand for assistance with enrollment through MNsure as Minnesotans complete the public program renewal process.
- **Direct referrals:** Explain how you will support responding to a high volume of direct consumer leads from the MNsure Contact Center throughout the year. Describe your capacity for providing bi-weekly reports back to MNsure on this activity.
- **Community outreach:** Describe your capacity to address community groups interested in learning more about enrolling in coverage through MNsure. Please indicate, with as much specificity as possible, your willingness to travel locally (distance) and to accommodate the frequency of such group talks (numbers per week). Please indicate your past experience with conducting outreach or marketing activities to community groups in your proposed area.
- **“No wrong door” assistance:** Describe your commitment to providing service to any individual who personally visits your site for one-on-one assistance, including individuals who may be eligible for Medical Assistance or MinnesotaCare. Describe how you will support or refer consumers needing assistance with their public program renewal prior to becoming QHP-eligible.
- **Remote assistance:** Enrollment centers are expected to provide year-round service and support to enrollees as needed. Describe your agency’s practices for providing over-the-phone/remote and online assistance when requested by consumers.
- **Marketing plan and budget:** Describe whether you use print media, local TV or radio, social media, digital or other sales, marketing and outreach tactics (include current and proposed tactics). For each type of advertising or promotion you use, please provide your recommended source(s) and how those sources are effective in your community or region.

Lead agency information (if applicable):

A lead agency is one that applies to lead a collaboration between itself and another broker agency.

Applicants will be scored on your response to the following:

- Describe the roles and responsibilities of the lead agency vs. the partner organization in operating the BEC and serving MNsure consumers.

- Why do you think a lead agency model is necessary to support consumers in this region? How will consumers benefit from this model?
- Describe how the lead agency will ensure that the partner agency and its staff will be prepared, trained and ready to operate as a BEC.
- Please describe any experience the lead agency has in overseeing the enrollment activities of another agency (lines of accountability, reporting, etc.).

2. Enrollment Experience

Applicants will be scored on your response to the following:

- **Community Connection:** Describe any experience serving the geographic area and specific target market(s) that are the focus of the proposal. At a minimum, please include the following information: How long has the agency served the geographic area? Describe existing connections with the geographic area and target market(s) to be served by the contract, including any current outreach strategies. If there are no existing connections, describe plans to develop those connections.
- **Enrollment experience:** Describe any experience as a MNSure-certified broker. At a minimum, please include the following information: Describe any previous success the agency has had enrolling consumers in health insurance through MNSure. If the applicant does not have previous experience enrolling consumers through MNSure, describe any other relevant experience providing enrollment assistance. Describe how the agency currently supports consumers in all aspects of the application and enrollment process, including post-application follow-up such as responding to notices, reporting changes and renewing coverage.
- **Staffing:** List the following information for all currently MNSure-certified broker staff that will be part of this contract: broker name, organization, how long they have been certified, percentage of their time currently spent enrolling clients in private plans in the individual market, and any specialized skills. If there are no currently MNSure-certified broker staff, describe how the applicant will add capacity to provide application and enrollment assistance.
- **Service area:** Describe the current service area as a list of the agency's top counties and percentage of business from each.
- **Partner experience:** Describe any existing relationships with MNSure-certified navigators. If your agency has not interacted with certified navigators, indicate your willingness to do so, and describe any plans for building these relationships. Local navigators can be identified using MNSure's online [Assister Directory](https://www.mnsure.org/help/find-assister/find-assister.jsp) (<https://www.mnsure.org/help/find-assister/find-assister.jsp>).
- **Medicare/MNSure open enrollment service:** What percentage of your agency's current volume is Medicare-based? Indicate any problems or challenges regarding the overlap of Medicare open enrollment and MNSure open enrollment periods and how your agency plans to address them.
- **Proposed house of operation during open enrollment:** Complete a chart providing proposed hours of operations for the 2024 open enrollment period. Open enrollment is anticipated to begin November 1, 2023, and end January 15, 2024.

3. Location

Applicants will be scored on your response to the following:

- Please indicate where your office will be located. Explain why this location is the best choice for serving consumers in your region.

4. Physical Space

Applicants will be scored on your response to the following:

Please provide a description of available office space and associated amenities for the following functions for each location that is part of the proposal:

- Reception and office area: Describe square footage, reception area seating arrangements, number of private offices and/or cubicles and any accessibility accommodations.
- Parking/public transportation: Describe any cost for parking and whether validation is available, proximity to office space and accessibility accommodations. Is there public transportation access to the location? If so, what types of public transportation?
- Technical capabilities and equipment availability: List software and equipment utilized; for instance, printer/scanner, special phone system, Sales Force, Windows, etc.

5. Commitment to Matching Funds

Complete and submit Appendix 2, "Cost Proposal/Matching Contribution," attached to this solicitation.

Applicants will be scored on their response to the following:

- Clear description of matching funds enrollment center will dedicate to advertising and marketing
- Budget and resources enrollment center will dedicate to meeting overall goals described in proposal

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

- Appendix 1: Questionnaire
- Appendix 2: Cost Proposal
- Appendix 3: RFP Attachments
 - Attachment A: Responder Declarations
 - Attachment B: Exceptions to State's Standard Terms and Conditions
 - Attachment C: Responder Forms
 - Workforce and Equal Pay Declaration Page

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

Section 5 – Evaluation Procedure and Criteria

The State will conduct an evaluation of responses to this Solicitation. All responsive proposals received by the deadline will be evaluated by MNsure. The MNsure review and selection process will occur in three stages.

During the review, selection and negotiation process, all information concerning the proposal submitted will remain non-public and will not be disclosed to anyone whose official duties do not require such knowledge.

Non-selection of any proposals will mean that either another proposal(s) was determined to be more advantageous to MNsure or that MNsure exercised the right to reject any or all proposals.

Phase 1 – Responsiveness and Pass/Fail Requirements

The purpose of this phase is to determine if each response complies with the mandatory requirements. Responses that are deemed non-responsive will not be forwarded to Phase 2 review.

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

- Response must be received by the due date and time specified in this RFP.

Phase 2 – Evaluate Responses

MNsure will utilize a review committee made up of a diverse group of internal stakeholders to review the merits of each proposal. The review committee will use a 100-point scale to evaluate the merit of each proposal. After scores are added up for each proposal, proposals are compared to each other by region.

Reviewers will consider the following selection criteria in determining overall merit scores. In each area, proposals will be rated on responsiveness to the solicitation, required elements and ability of the proposal to help MNsure meet the goals of the broker enrollment center program.

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

1. Overall Plan: Proposed Activities and Enrollment Forecast	40 points
2. MNsure Enrollment Experience	35 points
3. Location	10 points
4. Physical Space	10 points
5. Commitment to MNsure Matching Funds	<u>5 points</u>
	100 points

Phase 3 - Select Finalist(s)

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

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

The State anticipates implementation to commence on or about September 2023.

Section 6 – Solicitation Terms

1. Rights of MNsure in Evaluating Partnership Proposals

Issuance of this solicitation for partnership proposals does not guarantee that MNsure will award a contract to any responder. MNsure reserves the right to withdraw, re-bid, extend or otherwise modify this solicitation or the related schedule and process, in any manner, solely at its discretion. All responses received by the deadline will be reviewed by the State or its agents, including representatives of MNsure. Proposals will first be reviewed for responsiveness to determine if the minimum requirements have been met. Proposals that fail to meet minimum requirements will not advance to the next phase of the evaluation. The State reserves the right, based on the scores of the proposals, to interview or conduct demonstrations/presentations. Any cost incidental for an interview, presentation or demonstration shall be borne entirely by the responder. Proposal materials will become public information following responder selection and the conclusion of contract negotiations with the selected responder(s).

MNsure/State also reserves the right to:

- Consider broker performance data in evaluating proposals;
- Extend any contract for up to three one-year renewals without requiring proposal submission;

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

2. Disqualification

Any attempt by a responder to influence a member of the evaluation committee during the proposal review and evaluation process will result in the elimination of that responder's proposal from consideration.

3. Competition in Responding

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

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

4. Addenda to the Solicitation

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

5. Data Security - Foreign Outsourcing of Work is 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 levels.

6. Joint Ventures

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

7. Withdrawing Response

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

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

8. Samples and Demonstrations

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

9. Responses are Nonpublic during Evaluation Process

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

10. Trade Secret Information

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

11. Conditions of Offer

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

12. Award

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

13. Requirements Prior to Contract Execution

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