

## LEGAL NOTICE

### Request for Proposals for Services

The State of Connecticut, Office of Policy and Management, is seeking proposals to provide certain consultative services related to the framework for interagency data sharing. Connecticut's State Data Plan recognizes that data is a valuable asset that the State must manage in the public trust on behalf of its residents. Facilitating interagency data sharing in a safe, ethical and secure manner is a primary goal of the plan.

The intent of the request is to identify individuals or firms with the necessary expertise in development and revision of agreements and capacity-building training to facilitate interagency data sharing for state agencies in Connecticut within a stated timeframe.

The request for proposals is available online at [https://biznet.ct.gov/SCP\\_Search/default.aspx?Src=CISplash](https://biznet.ct.gov/SCP_Search/default.aspx?Src=CISplash) and <https://portal.ct.gov/OPM/Root/RFP/Request-For-Proposals> or from Mildred Melendez, Office of Policy and Management, Legal Affairs Division, 450 Capitol Ave., MS#55SEC, Hartford, Connecticut 06106-1379. E-mail: [Mildred.Melendez@ct.gov](mailto:Mildred.Melendez@ct.gov). Telephone (860) 418-6417, Fax (860) 418-6487. Deadline for response submission is **5:00 P.M., October 9, 2020.**

#### TO BE PUBLISHED IN

- THE HARTFORD COURANT AND THE NORTHEAST MINORITY NEWS AND/OR THE NORTHEAST AGENT
- OPM WEBSITE
- DAS WEBSITE

## REQUEST FOR PROPOSALS (RFP)

BY

THE STATE OF CONNECTICUT  
OFFICE OF POLICY AND MANAGEMENT  
P20 WIN DATA SHARING AGREEMENTS

### **BACKGROUND**

Connecticut has established and sustained an interagency partnership called Connecticut Preschool through Twenty and Workforce Information Network (P20 WIN) that offers data interoperability through nationally recognized structures of data governance and data matching. Agency partners in P20 WIN represent the full continuum of education and workforce from early childhood and K-12 to postsecondary education (both public and private) and labor, with social services, child welfare, higher education financial aid, and homelessness agencies to be incorporated in fiscal year 2020 - 2021. The Office of Policy and Management (OPM or State) is the administrative lead agency for P20 WIN.

OPM is seeking a proposer to support the work of OPM in (1) the development and revision of data sharing agreements (a) to onboard Participating Agencies for P20 WIN and (b) to enable the movement of data for P20 WIN between its data source and the agencies with which they will match or share data; (2) analyzing and providing recommendations corresponding to the requirements of Public Act 19-153 on methods to facilitate the sharing of high-value data to the extent permitted under state and federal law; and (3) providing training for state agency staff on the framework for interagency data sharing.

These services are authorized in accordance with C.G.S. Secs. 4-8, 4-65a, 4-66, 4-67n, 4-67p, and 10a-57g.

### **SCOPE OF SERVICES**

- A. The Contractor shall support the work of OPM in administration of the state longitudinal data system. The Contractor shall specifically support OPM in (1) the development and revision of agreements to officially onboard Participating Agencies, including social services, child welfare, higher education financial aid, and homelessness, to P20 WIN and to enable the movement of data for P20 WIN between its data source and the agencies with which they will match or share data; (2) analyzing and providing recommendations consistent with and as required by Public Act 19-153 on methods to facilitate the sharing of high-value data to the extent permitted under state and federal law; and (3) training for state agency staff on data sharing.
- B. Support will primarily constitute remote consultation, with limited on-site support. Specifically, the Contractor shall:
  - Advise and provide consultative assistance to OPM staff and Chief Data Officer in the review and completion of agreements (i.e., letter of intent, enterprise memorandum of understanding, data sharing agreements, data use license and related appendices and attachments) to support development of the P20 WIN system and improved data sharing across state government, for signature by the P20 WIN Participating Agencies;
  - Assist in drafting and revising the annual report to the legislature due January 2021 required by Public Act 19-153, providing recommendations on “(1) methods to facilitate the sharing of such high value data to the extent permitted under state and federal law,

including, but not limited to, the preparation and execution of memoranda of understanding among executive branch agencies, and (2) any necessary legislation expanding the present purpose and reach of P20 WIN”;

- Provide online or in-person training and capacity-building support to OPM and executive branch agencies to enable targeted, safe and secure data sharing, related to the P20 WIN research agenda, and up to three (3) half-day training sessions in Connecticut;
- Assist in the development of any necessary legislation identified through the above deliverables; and
- The agreements for P20 WIN shall use an ‘Enterprise MOU’ framework, utilized in other states and consistent with that outlined in the report for Public Act 19-153 on ‘Legal Issues in Interagency Data Sharing,’ issued in January 2020.<sup>1</sup>

C. The deliverables are based on (1) the timeline for the National Center for Education Statistics grant to the State Board of Education for the State Longitudinal Data System (“SLDS”) to “Expanding SLDS Infrastructure with New Data Sources to Enhance Equity,”<sup>2</sup> and (2) existing statutory reporting timelines:

- Report to the legislature, pursuant to Public Act 19-153, by January 15, 2021 and any subsequent year;
- Develop documents that are ready for signature by February 28, 2021 for the following:
  - i. To officially make agencies part of P20 WIN;
  - ii. To enable the movement of data between its data source and the agencies with which they will match or share data; and
  - iii. Provide up to three (3) half-day trainings for agency staff on the proposed governance framework before December 31, 2021.

D. The State will supply the following to the successful vendor:

- Draft versions of agreements (i.e., letter of intent, enterprise memorandum of understanding, data sharing agreements, data use license and related appendices and attachments) and background materials on existing interagency data sharing agreements;
- Access to OPM staff from P20 WIN Participating Agencies; and
- Access to virtual or in-person meeting space as required for the project, including the training sessions.

### **CONTRACT PERIOD**

The State anticipates that the successful proposer will commence work on or about November 9, 2020 and continue until February 28, 2024. The contract may, upon mutual consent, be extended.

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<sup>1</sup> Report posted at: <https://portal.ct.gov/CTData/Content/Agency-Guidance>. For further background and reference to templates of documents, see <https://www.aisp.upenn.edu/resource-article/legal-issues-for-ids-use-finding-a-way-forward>.

<sup>2</sup> Grant details are posted at: <https://nces.ed.gov/programs/slids/state.asp?stateabbr=CT>.

## CONTRACTOR QUALIFICATIONS

Eligible proposers will be those consultants, companies, and institutions that have a demonstrated track record and specific consultative experience related to (1) development of agreements for interagency data sharing using the 'four document' framework utilized in other states and as outlined in OPM's report on 'Legal Issues in Interagency Data Sharing' (i.e., letter of intent, enterprise memorandum of understanding, data sharing agreement and data use agreement or license) as set forth in OPM's recent report submitted to the legislature on January 15, 2020 on Interagency Data Sharing<sup>[1]</sup>, (2) specific domain expertise in the state and federal laws and regulations relating to data sharing documented in the appendices to OPM's report on 'Legal Issues in Interagency Data Sharing' and relevant to the P20 WIN Participating Agencies, and (3) providing training and capacity-building support for state agency staff on issues in interagency data sharing.

## SUBMISSION DEADLINE

The due date for proposals is **5:00 PM on Monday, October 9, 2020**. Proposals must be received in the required packaging and labeling at the Office of Policy and Management, 450 Capitol Avenue, Hartford, CT 06106 (ATTN: Mildred Melendez) not later than the deadline. Late submissions will not be accepted.

No additions or changes to the original proposal will be allowed after submittal. While changes are not permitted, clarification of proposals may be required by the State at the proposer's sole cost and expense.

## RFP PROCEDURES

A. *Official State Contact*. The State contact person for the purpose of this RFP is:

Mildred Melendez  
Paralegal  
Office of Policy and Management  
Office of Legal Affairs  
450 Capitol Avenue  
MS#55SEC  
Hartford, Connecticut 06106-1379  
Telephone: 860-418-6417  
Fax: 860-418-6487  
mildred.melendez@ct.gov

All communications with the State regarding this RFP must be directed to the Official State Contact.

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<sup>[1]</sup> Posted at: report posted at <https://portal.ct.gov/CTData/Content/Agency-Guidance>. For further background and reference to templates of documents, see <https://www.aisp.upenn.edu/resource-article/legal-issues-for-ids-use-finding-a-way-forward>.

- B. *Proposer's Authorized Representative.* Proposers must designate an authorized representative and one (1) alternate. Provide the name, title, address, telephone and facsimile numbers, e-mail address, and normal working hours for each representative. This information must be submitted to the Official State Contact with the RFP submission.
- C. *Communications Notice.* All communications with the State or any person representing the State concerning this RFP are strictly prohibited, except as permitted by this RFP. Any violation of this prohibition by proposers or their representatives may result in disqualification or other sanctions, or both.
- D. *Inquiry Procedures.* All questions regarding this RFP and submission requirements must be directed, in writing, to the Official State Contact by **5:00 PM on Friday, September 25, 2020**. Proposers are required to limit their contact regarding this RFP to the person named herein. Written responses to all questions received will be posted to the Office of Policy and Management website at <https://portal.ct.gov/OPM/Root/RFP/Request-For-Proposals> and the DAS websites at [https://biznet.ct.gov/SCP\\_Search/default.aspx?Src=CISplash](https://biznet.ct.gov/SCP_Search/default.aspx?Src=CISplash) by **5:00 PM on Friday, October 2, 2020**.
- E. *Proposers' Conference.* There will be no proposers' conference scheduled for this RFP.
- F. *Resource Library.* The State wishes proposers to consider previous studies and reports related to this project. A resource library with these documents has been created and is available, under the heading 'Data Sharing Resources,' at <https://portal.ct.gov/CTData/Content/Agency-Guidance>.
- G. *Packaging and Labeling Requirements.* All proposals must be submitted in sealed envelopes or packages. All proposals must be addressed to the Official State Contact. The name and address of the proposer must appear in the upper left hand corner of the envelope or package. An original (clearly identified as such) and three (3) copies of the proposal must be submitted. The proposal must be signed by the proposer. Unsigned proposals will be rejected. Proposals transmitted by facsimile may not be accepted or reviewed.
- H. *Proposals Due.* An original and three (3) copies as well as an electronic version of proposal in software compatible with Microsoft Word 7.0 must be received no later than **5:00 PM on Friday, October 9, 2020**.
- I. *Minimum Submission Requirements.* Proposals must be (1) submitted before the deadline, (2) satisfy the packaging and labeling requirements, (3) follow the required format, (4) be complete, (5) include all required forms, and (6) be duly executed. Proposals that fail to meet these minimum submission requirements may be disqualified and not reviewed further.
- J. *Selection Committee.* A Selection Committee comprised of State staff or other designees as deemed appropriate will evaluate qualified proposals submitted in response to this RFP and

recommend finalists for consideration. The Selection Committee shall evaluate all proposals that meet the Minimum Submission Requirements.

- K. *Meetings with Proposers.* At its discretion, the State may convene meetings with proposers in order to gain a fuller understanding of the proposals. The meetings may involve demonstrations, interviews, presentations, or site visits. If the State decides meetings are warranted, the Official State Contact will contact proposers to make an appointment. Any such meetings are tentatively scheduled for the week of October 19, 2020.
- L. *Contractor Selection.* It is the State’s intention to notify the successful proposer by October 26, 2020 and to initiate this engagement as soon as possible thereafter.
- M. *Timeline.* The following timeline, up to and including the deadline for submitting proposals, shall be changed only by an amendment to this RFP. Dates after the submittal deadline are target dates only.

September 18, 2020	RFP Released
September 25, 2020 5:00 p.m.	Deadline for Questions
October 2, 2020 5:00 p.m.	Written Answers to Questions Released
October 9, 2020 5:00 p.m.	Proposals Due
Week of October 19, 2020	Meetings with Proposers
October 26, 2020	Contractor Selection
October 26, 2020	Start of Contract Negotiations
November 9, 2020	Start of Contract

#### RFP CONDITIONS

All proposers must be willing to adhere to the following conditions and must positively state this in the proposal by completing the [OPM Vendor/Bidder/Applicant Profile Sheet \(OPM-A-15, June 2017\)](#).

- A. The State is an Equal Opportunity and Affirmative Action employer and does not discriminate in its hiring, employment, or business practices. The State is committed to complying with the Americans with Disabilities Act of 1990 (ADA) and does not discriminate on the basis of disability, in admission to, access to, or operation of its programs, services, or activities.
- B. All proposals in response to this RFP are to be the sole property of the State. Proposers are encouraged **NOT** to include in their proposals any information that is proprietary. All materials associated with this procurement process are subject to the terms of State laws defining freedom of information and privacy and all rules, regulations and interpretations resulting from those laws. The Connecticut Freedom of Information Act (FOIA) generally requires the disclosure of documents in the possession of the State upon request of any citizen, unless the content of the document falls within certain categories of exemption. An example of an exemption is a “trade secret,” as defined by Connecticut General Statutes Section 1-210(b)(5)(A). Confidential information must be separated and isolated from other material in the proposal and labeled **CONFIDENTIAL** and enclosed in a separate envelope.

If the proposer indicates that certain documentation, as required by this RFP, is submitted in confidence, by specifically and clearly marking said documentation as **CONFIDENTIAL**, OPM will endeavor to keep said information confidential to the extent permitted by law. OPM, however, has no obligation to initiate, prosecute or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information pursuant to a FOIA request. As set forth below, the proposer has the burden of establishing the availability of any FOIA exemption in any proceeding where it is an issue. In no event shall OPM or any of its staff have any liability for disclosure of documents or information in the possession of OPM which OPM or such staff believes to be required pursuant to the FOIA or other requirements of law.

**IMPORTANT NOTE:** If the information is not readily available to the public from other sources and the proposer submitting the information requests confidentiality, then the information generally is considered to be “given in confidence.” A convincing explanation and rationale sufficient to justify each exemption from release consistent with Section 1-210(b) of the Connecticut General Statutes shall be prepared by the proposer and shall accompany the proposal. The rationales and explanation shall be simply stated in terms of the prospective harm to the competitive position of the proposer that would result if the identified information were to be released, and you shall state the reasons why you believe the materials are legally exempt from release pursuant to Section 1-210(b) of the Connecticut General Statutes.

- C. Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of the RFP is to be the sole property of the State.
- D. Timing and sequence of events resulting from this RFP will ultimately be determined by the State.
- E. The proposer’s proposal shall remain valid for a period of 180 days after the closing date for the submission and may be extended beyond that time by mutual agreement.
- F. All proposed costs must be fixed through the period of the agreement. No cost submissions that are contingent on a State action will be accepted.
- G. The State may amend or cancel this RFP, prior to the due date and time, if the State deems it to be necessary, appropriate or otherwise in the best interests of the State. Failure to acknowledge receipt of amendments, in accordance with the instructions contained in the amendments, may result in a firm’s proposal not being considered.
- H. The personnel identified in the proposer’s response to this RFP will be the persons actually assigned to the project. Any additions, deletions or changes in personnel from the proposal during the course of the project must be approved by the State, with the exception of personnel who have terminated employment. Replacements for personnel who have terminated employment are subject to approval by the State. At its discretion, the State may require the removal and replacement of any of the proposer’s personnel who do not perform adequately, regardless of whether they were previously approved by the State.

- I. Any costs and expenses incurred by proposers in preparing or submitting proposals are the sole responsibility of the proposer.
- J. A proposer must be prepared to present evidence of experience, ability, service facilities, and financial standing necessary to satisfactorily meet the requirements set forth or implied in the proposal.
- K. No additions or changes to the original proposal will be allowed after submission. While changes are not permitted, clarification of proposals may be required by the State at the proposer's sole cost and expense.
- L. Proposers may be asked to give demonstrations, interviews, presentations or further explanation to the RFP Selection Committee.
- M. The proposer represents and warrants that the proposal is not made in connection with any other proposer and is in all respects fair and without collusion or fraud. The proposer further represents and warrants that they did not participate in any part of the RFP development process, had no knowledge of the specific contents of the RFP prior to its issuance, and that no agent, representative or employee of the State participated directly in the proposer's proposal preparation.
- N. All responses to the RFP must conform to instruction. Failure to include any required signatures, provide the required number of copies, meet deadlines, answer all questions, follow the required format, or failure to comply with any other requirements of this RFP may be considered appropriate cause for rejection of the response.
- O. The proposer accepts the State's [Standard Contract Language](#).
- P. This RFP is not an offer and neither this RFP nor any subsequent discussions shall give rise to any commitment on the part of the State or confer any rights on any proposer unless and until a contract is fully executed by the necessary parties. The contract document will represent the entire agreement between the proposer and the State and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The State shall assume no liability for payment of services under the terms of the contract until the successful proposer is notified that the contract has been accepted and approved by the State and by the Attorney General's Office. The contract may be amended only by means of a written instrument signed by the State, the proposer, and the Attorney General's Office.
- Q. Pursuant to Connecticut General Statutes § 4a-81, bids or proposals for state contracts with a value of \$50,000 or more in a calendar or fiscal year, excluding leases and licensing agreements of any value, shall include a [Consulting Agreement Affidavit](#) attesting to whether any consulting agreement has been entered into in connection with the bid or proposal. Such affidavit shall be required if any duties of the consultant included communications concerning business of such State agency, whether or not direct contact with a State agency, State or

public official or State employee was expected or made. As used herein "consulting agreement" means any written or oral agreement to retain the services, for a fee, of a consultant for the purposes of (A) providing counsel to a contractor, vendor, consultant or other entity seeking to conduct, or conducting, business with the State, (B) contacting, whether in writing or orally, any executive, judicial, or administrative office of the State, including any department, institution, bureau, board, commission, authority, official or employee for the purpose of solicitation, dispute resolution, introduction, requests for information or (C) any other similar activity related to such contract. Consulting agreement does not include any agreements entered into with a consultant who is registered under the provisions of Chapter 10 of the general statutes as of the date such affidavit is submitted in accordance with the provisions of Connecticut General Statutes § 4a-81.

- R. Pursuant to Connecticut General Statutes § 1-101qq, bids or proposals for a large state construction or procurement contract shall include an [Affirmation of Receipt of Summary of State Ethics Laws](#) affirming that the key employees of such proposer have received, reviewed and understand the Summary and agree to comply with the provisions of the State ethics laws. "Large state construction or procurement contract" means any contract, having a cost of more than five hundred thousand dollars, for (A) the remodeling, alteration, repair or enlargement of any real asset, (B) the construction, alteration, reconstruction, improvement, relocation, widening or changing of the grade of a section of a state highway or a bridge, (C) the purchase or lease of supplies, materials or equipment, as defined in Section 4a-50 of the Connecticut General Statutes, or (D) the construction, reconstruction, alteration, remodeling, repair or demolition of any public building. Furthermore, pursuant to Connecticut General Statutes § 1-101qq, the proposer shall incorporate and include the Summary in all contracts with any subcontractor or consultant working or assisting the Contractor with the large state construction or procurement contract. The proposer shall require in said contracts that the key employees of any subcontractor or consultant affirm that they have received, reviewed and understand the Summary and agree to comply with the provisions of the State ethics laws. The proposer shall supply such affirmations to OPM promptly.
- S. With regard to a State contract as defined in P.A. 07-1 having a value in a calendar year of \$50,000 or more or a combination or series of such agreements or contracts having a value of \$100,000 or more, the authorized signatory to this submission in response to the State's solicitation expressly acknowledges receipt of the State Elections Enforcement Commission's notice advising prospective state contractors of state campaign contribution and solicitation prohibitions, and will inform its principals of the contents of the notice. See Exhibit A.
- T. Effective October 1, 2013, [OPM Iran Certification Form 7](#) must be submitted for any large state contract, as defined in section 4-250 of the Connecticut General Statutes. OPM Iran Certification Form 7 must always be submitted with the bid or proposal, or if there was no bid process, with the resulting contract, regardless of where the principal place of business is located. Entities whose principal place of business is located outside of the United States are required to complete the entire form, including the certification portion of the form. United States subsidiaries of foreign corporations are exempt from having to complete the certification portion of the form. Those entities whose principal place of business is located

inside of the United States must also fill out the form, but do not have to complete the certification portion of the form.

### REQUIRED FORMAT FOR PROPOSALS

All proposals must follow the required format and address all requirements listed in the prescribed order using the prescribed numbering system. Failure to follow the required format may result in disqualification of a proposal.

- Font Size: 12 pitch.
- Margins: 1" minimum on the top, bottom, and sides of all pages.
- Maximum number of pages: Five (5) not including Section 1, Table of Contents; Section 2, Proposer Information; Section 3d, Financial Condition; Section 3e, References; Section 5b, Resumes of Key Personnel; Section 7 Conflict of Interest; and Section 8 Affidavits.
- **DO NOT** use material dependent on color distinctions, animated electronics, etc. in submissions.
- Number of Copies: An original and three (3) copies of the proposal must be received no later than **5:00 PM on Friday, October 9, 2020**.
- One (1) Electronic Version. Format: Microsoft Word 7.0 or compatible software.

#### Section 1 – TABLE OF CONTENTS

Proposers must include a Table of Contents that lists sections and subsections with page numbers that follow the organization and sequence for this proposal as required.

#### Section 2 – PROPOSER INFORMATION

Complete the following forms and include any other requested documentation that may pertain to your legal status. Unfortunately, the forms are redundant in certain areas, however, each form satisfies a solicitation/contracting requirement of the State, and the redundancy cannot be avoided at this time.

- a. [OPM Vendor/Bidder/Applicant Profile Sheet \(OPM-A-15, June 2017\)](#)
- b. [Agency Vendor Form \(SP-26NB\)](#)
- c. **W-9** available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>
- d. [Contract Compliance Package](#):
  - **Notification to Bidders Form**
  - **Bidder Contract Compliance Monitoring Report**

#### Section 3 - INDIVIDUAL OR ORGANIZATIONAL PROFILE

- a. *Qualifications.* Describe how your experience, education and training, or special knowledge, skills or abilities meet the required minimum qualifications of this RFP.
- b. *Summary of Relevant Experience.* Provide a listing of projects that the proposer has completed within the last three (3) years in the subject area with emphasis on activities relevant and related to the proposed project. Additionally, please list any contracts in the last three (3) years between the proposer and any agency of the State of Connecticut.

- c. *Organization Chart.* If the proposer is a firm or corporation, provide a diagram showing the hierarchical structure of functions and positions within the organization.
- d. *Financial Condition.* If the proposer is a firm or corporation, include the two (2) most recent annual financial statements prepared by an independent Certified Public Accountant, and reviewed or audited in accordance with Generally Accepted Accounting Principles (USA). If a proposer has been in business for less than two years, such proposer must include any financial statements prepared by a Certified Public Accountant, and reviewed or audited in accordance with Generally Accepted Accounting Principles (USA) for the entire existence of such firm or corporation.
- e. *References.* Include three (3) letters of reference from recent clients. Provide the following information for each reference: name, title, name of company, company address, and telephone number.

#### Section 4 - STATEMENT OF WORK

- a. *Work Plan.* Provide a detailed, task-oriented breakdown for each activity/task specified in the Scope of Services. Proposers wishing to add activities/tasks to those specified in the Scope of Services must show the additions as separately numbered activities/tasks.
- b. *Methodologies.* Describe how each activity/task will be accomplished, providing a detailed explanation of the procedures or processes that will be used to attain the expected outcomes.
- c. *Deliverables.* List and describe the form and content of each deliverable (outcome). Include a description of the proposed method of working with the State, the resources or services requested of the State (if any), and the proposed method of receiving State approval of deliverables.
- d. *Schedule.* Include a proposed work schedule, by activity/task, indicating when each activity/task will be accomplished. Identify any significant milestones or deadlines. Include due dates for all deliverables.

#### Section 5 – PERSONNEL RESOURCES

- a. *Staffing Plan.* Identify the personnel resources that will be assigned to each activity/task delineated in the work plan above. State the proportion of time that personnel will allocate to each activity/task of the project. Include a job description for each title assigned to the personnel identified.
- b. *Key Personnel.* Identify the key personnel that will be assigned to this project. Attach resumes reflecting their qualifications and work experience in the subject area. [Note: The State must be notified in writing and in advance regarding the departure of any key personnel from the project.]

#### Section 6 - PROPOSED COST

For the purpose of this contract, the State of Connecticut will accept an hourly rate for services provided pursuant to this RFP. Include a cost proposal using the required format (See Exhibit B – Cost Proposal, P20 WIN DATA SHARING AGREEMENTS).

*Note: The State of Connecticut is exempt from the payment of excise, transportation and sales taxes imposed by the Federal Government and/or the State. Such taxes must not be included in the proposed cost.*

#### Section 7 – CONFLICT OF INTEREST

Include a disclosure statement concerning any current business relationships (within the last three (3) years) that pose a conflict of interest as defined by Connecticut General Statutes Section 1-85.

#### SECTION 8 – AFFIDAVITS (Consulting Agreement, Summary of State Ethics Laws and Iran Certification)

Submit a [Consulting Agreement Affidavit](#) if the bid or proposal is for a state contract (only to be used with contracts for the purchase of goods and services) with a value of \$50,000 or more in a calendar or fiscal year, excluding leases and licensing agreements of any value, attesting to whether any consulting agreement has been entered into in connection with the bid or proposal.

Submit an [Affirmation of Receipt of Summary of State Ethics Laws](#) if the bid or proposal is for a large state construction or procurement contract having a cost of \$500,000 or more for (A) the remodeling, alteration, repair or enlargement of any real asset, (B) the construction, alteration, reconstruction, improvement, relocation, widening or changing of the grade of a section of a state highway or a bridge, (C) the purchase or lease of supplies, materials or equipment, as defined in Section 4a-50 of the Connecticut General Statutes, or (D) the construction, reconstruction, alteration, remodeling, repair or demolition of any public building.

Submit an [OPM Iran Certification Form 7](#) with the bid or proposal, or if there was no bid process, with the resulting contract for any large state contract, as defined in section 4-250 of the Connecticut General Statutes, regardless of where the principal place of business is located.

#### Section 9 - ADDITIONAL DATA

Provide any additional information which the proposer wishes to bring to the attention of the State that is relevant to this RFP.

### **EVALUATION OF PROPOSALS**

The following criteria shall be those utilized in the selection process. They are presented as a guide for the proposer in understanding the State's requirements and expectations for this project and are not necessarily presented in order of importance.

1. **PROPOSED WORK PLAN.** Emphasis will be on grasp of the problems involved, soundness of approach and the quality of the overall proposal including the proposer's ability to complete the activities/tasks and produce the necessary products within the required time frame. Specific emphasis will be placed on the ability to demonstrate familiarity with state interagency data sharing efforts, the 'four document' framework referenced above, and domain expertise in the state and federal laws and regulations for data sharing for the P20 WIN Participating Agencies.

2. *PROPOSED COST.* Emphasis will be placed on proposals that are cost-effective, and enable the State to achieve cost savings through procurement of these services.
3. *EXPERIENCE, EXPERTISE, AND CAPABILITIES.* Background, qualifications, and previous experience of personnel to be assigned to the project and their demonstrated competence, experience and expertise in the type of work to be performed. Proposals that provide in the 'Additional Data' section of the proposal specific documentation and examples of the following will be prioritized: (1) examples of completed interagency data sharing agreements using the 'four document' framework referenced above, authored solely or in part by the proposer, (2) examples of training or capacity-building efforts for state agencies or entities related to interagency data sharing, delivered solely or in part by the proposer.
4. REFERENCES.
5. *DEMONSTRATED COMMITMENT TO AFFIRMATIVE ACTION:*

Regulations of Connecticut State Agencies Section 46a-68j-30(10) require an agency to consider the following factors when awarding a contract that is subject to contract compliance requirements:

- (a) the proposer's success in implementing an affirmative action plan;
- (b) the proposer's success in developing an apprenticeship program complying with Sections 46a-68-1 to 46a-68-17 of the Administrative Regulations of Connecticut State Agencies, inclusive;
- (c) the proposer's promise to develop and implement a successful affirmative action plan;
- (d) the proposer's submission of EEO-1 data indicating that the composition of its work force is at or near parity when compared to the racial and sexual composition of the work force in the relevant labor market area; and
- (e) the proposer's promise to set aside a portion of the contract for legitimate minority business enterprises (**see Contract Compliance Package**).

#### **RIGHTS RESERVED TO THE STATE**

The State reserves the right to award in part, to reject any and all bids in whole or in part for misrepresentation or if the proposer is in default of any prior State contract, or if the bid or proposal limits or modifies any of the terms and conditions and/or specifications of the RFP. The State also reserves the right to waive technical defect, irregularities and omissions if, in its judgment, the best interest of the State will be served.

The State reserves the right to correct inaccurate awards resulting from its clerical errors. This may include, in extreme circumstances, revoking the awarding of a contract already made to a proposer and subsequently awarding the contract to another proposer. Such action on the part of the State shall not constitute a breach of contract on the part of the State since the contract with the initial proposer is

deemed to be void *ab initio* and of no effect as if no contract ever existed between the State and the proposer.

## EXHIBIT A

### **NOTICE TO EXECUTIVE BRANCH STATE CONTRACTORS AND PROSPECTIVE STATE CONTRACTORS OF CAMPAIGN CONTRIBUTION AND SOLICITATION BAN**

This notice is provided under the authority of Connecticut General Statutes Section 9-612(g)(2), as amended by P.A. 10-1, and is for the purpose of informing state contractors and prospective state contractors of the following law (italicized words are defined below):

#### **Campaign Contribution and Solicitation Limitations**

No *state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor*, with regard to a *state contract or state contract solicitation* with or from a state agency in the executive branch or a quasi-public agency or a holder, or principal of a holder of a valid prequalification certificate, shall make a contribution to (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee (which includes town committees).

In addition, no holder or principal of a holder of a valid prequalification certificate, shall make a contribution to (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of State senator or State representative, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee.

On and after January 1, 2011, no state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor, with regard to a state contract or state contract solicitation with or from a state agency in the executive branch or a quasi-public agency or a holder, or principal of a holder of a valid prequalification certificate, shall **knowingly solicit** contributions from the state contractor's or prospective state contractor's employees or from a *subcontractor or principals of the subcontractor* on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee.

#### **Duty to Inform**

State contractors and prospective state contractors are required to inform their principals of the above prohibitions, as applicable, and the possible penalties and other consequences of any violation thereof.

#### **Penalties for Violations**

Contributions or solicitations of contributions made in violation of the above prohibitions may result in the following civil and criminal penalties:

Civil penalties—Up to \$2,000 or twice the amount of the prohibited contribution, whichever is greater, against a principal or a contractor. Any state contractor or prospective state contractor which fails to make reasonable efforts to comply with the provisions requiring notice to its principals of these prohibitions and the possible consequences of their violations may also be subject to civil penalties of up to \$2,000 or twice the amount of the prohibited contributions made by their principals.

Criminal penalties—Any knowing and willful violation of the prohibition is a Class D felony, which may subject the violator to imprisonment of not more than 5 years, or not more than \$5,000 in fines, or both.

### **Contract Consequences**

In the case of a state contractor, contributions made or solicited in violation of the above prohibitions may result in the contract being voided.

In the case of a prospective state contractor, contributions made or solicited in violation of the above prohibitions shall result in the contract described in the state contract solicitation not being awarded to the prospective state contractor, unless the State Elections Enforcement Commission determines that mitigating circumstances exist concerning such violation.

The State shall not award any other state contract to anyone found in violation of the above prohibitions for a period of one year after the election for which such contribution is made or solicited, unless the State Elections Enforcement Commission determines that mitigating circumstances exist concerning such violation.

### **Definitions:**

"State contractor" means a person, business entity or nonprofit organization that enters into a state contract. Such person, business entity or nonprofit organization shall be deemed to be a state contractor until December thirty-first of the year in which such contract terminates. "State contractor" does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Prospective state contractor" means a person, business entity or nonprofit organization that (i) submits a response to a state contract solicitation by the state, a state agency or a quasi-public agency, or a proposal in response to a request for proposals by the state, a state agency or a quasi-public agency, until the contract has been entered into, or (ii) holds a valid prequalification certificate issued by the Commissioner of Administrative Services under section 4a-100. "Prospective state contractor" does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political

subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Principal of a state contractor or prospective state contractor" means (i) any individual who is a member of the board of directors of, or has an ownership interest of five per cent or more in, a state contractor or prospective state contractor, which is a business entity, except for an individual who is a member of the board of directors of a nonprofit organization, (ii) an individual who is employed by a state contractor or prospective state contractor, which is a business entity, as president, treasurer or executive vice president, (iii) an individual who is the chief executive officer of a state contractor or prospective state contractor, which is not a business entity, or if a state contractor or prospective state contractor has no such officer, then the officer who duly possesses comparable powers and duties, (iv) an officer or an employee of any state contractor or prospective state contractor who has *managerial or discretionary responsibilities with respect to a state contract*, (v) the spouse or a *dependent child* who is eighteen years of age or older of an individual described in this subparagraph, or (vi) a political committee established or controlled by an individual described in this subparagraph or the business entity or nonprofit organization that is the state contractor or prospective state contractor.

"State contract" means an agreement or contract with the state or any state agency or any quasi-public agency, let through a procurement process or otherwise, having a value of fifty thousand dollars or more, or a combination or series of such agreements or contracts having a value of one hundred thousand dollars or more in a calendar year, for (i) the rendition of services, (ii) the furnishing of any goods, material, supplies, equipment or any items of any kind, (iii) the construction, alteration or repair of any public building or public work, (iv) the acquisition, sale or lease of any land or building, (v) a licensing arrangement, or (vi) a grant, loan or loan guarantee. "State contract" does not include any agreement or contract with the state, any state agency or any quasi-public agency that is exclusively federally funded, an education loan, a loan to an individual for other than commercial purposes or any agreement or contract between the state or any state agency and the United States Department of Navy or the United States Department of Defense.

"State contract solicitation" means a request by a state agency or quasi-public agency, in whatever form issued, including, but not limited to, an invitation to bid, request for proposals, request for information or request for quotes, inviting bids, quotes or other types of submittals, through a competitive procurement process or another process authorized by law waiving competitive procurement.

"Managerial or discretionary responsibilities with respect to a state contract" means having direct, extensive and substantive responsibilities with respect to the negotiation of the state contract and not peripheral, clerical or ministerial responsibilities.

“Dependent child” means a child residing in an individual’s household who may legally be claimed as a dependent on the federal income tax of such individual.

“Solicit” means (A) requesting that a contribution be made, (B) participating in any fund-raising activities for a candidate committee, exploratory committee, political committee or party committee, including, but not limited to, forwarding tickets to potential contributors, receiving contributions for transmission to any such committee or bundling contributions, (C) serving as chairperson, treasurer or deputy treasurer of any such committee, or (D) establishing a political committee for the sole purpose of soliciting or receiving contributions for any committee. Solicit does not include: (i) making a contribution that is otherwise permitted by Chapter 155 of the Connecticut General Statutes; (ii) informing any person of a position taken by a candidate for public office or a public official, (iii) notifying the person of any activities of, or contact information for, any candidate for public office; or (iv) serving as a member in any party committee or as an officer of such committee that is not otherwise prohibited in this section.

“Subcontractor” means any person, business entity or nonprofit organization that contracts to perform part or all of the obligations of a state contractor’s state contract. Such person, business entity or nonprofit organization shall be deemed to be a subcontractor until December thirty first of the year in which the subcontract terminates. “Subcontractor” does not include (i) a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or (ii) an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person’s capacity as a state or quasi-public agency employee.

“Principal of a subcontractor” means (i) any individual who is a member of the board of directors of, or has an ownership interest of five per cent or more in, a subcontractor, which is a business entity, except for an individual who is a member of the board of directors of a nonprofit organization, (ii) an individual who is employed by a subcontractor, which is a business entity, as president, treasurer or executive vice president, (iii) an individual who is the chief executive officer of a subcontractor, which is not a business entity, or if a subcontractor has no such officer, then the officer who duly possesses comparable powers and duties, (iv) an officer or an employee of any subcontractor who has managerial or discretionary responsibilities with respect to a subcontract with a state contractor, (v) the spouse or a dependent child who is eighteen years of age or older of an individual described in this subparagraph, or (vi) a political committee established or controlled by an individual described in this subparagraph or the business entity or nonprofit organization that is the subcontractor.

**EXHIBIT B**

**Cost Proposal**

**P20 WIN DATA SHARING AGREEMENTS**

Each contractor shall provide the hourly rate for personnel who will be assigned to work under this contract.

**Cost Proposal (Required)**

Name of Personnel	Hourly Rate

Name of Contractor: \_\_\_\_\_

Name of Authorized Official: \_\_\_\_\_

Signature of Authorized Official: \_\_\_\_\_

Title of Authorized Official: \_\_\_\_\_

Date: \_\_\_\_\_