

State of Minnesota

Minnesota Department of Health



REQUEST FOR PROPOSAL

Development of Healthcare Affordability Standards

Swift ID: 2000018587

Date Posted: August 21, 2026

- Responses must be received not later than 12:00 pm, Central Time, September 14, 2026
- Late responses will not be considered
- As of July 1, 2025, certain terms are unenforceable in state contracts. See Session Laws, 2025 Regular Session, [Chapter 39](#), Article 2, Sec. 45.

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 651.201.2402 or go to the Office of Equity in Procurement home page, at <https://mn.gov/admin/business/vendor-info/oep/>.

SPECIAL NOTICE: This is a request for proposal. 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 Solicitation requires proposals to be submitted through the SWIFT Supplier Portal. Please note the security changes below that may impact responders from submitting a timely response.

SWIFT SUPPLIER PORTAL SECURITY CHANGES

There are new security measures that the Minnesota Management and Budget implemented on October 16, 2022. It is a new multi-factor authentication (MFA) to enhance the security of the [State of Minnesota Supplier Portal](#). MFA is an authentication method that requires bidders and suppliers provide two verification factors to log into the SWIFT Supplier Portal. The goal of MFA is to create a layered defense that makes it more difficult for unauthorized system access to occur.

For information about these changes, please refer to the [SWIFT Supplier Portal Multi-Factor Authentication FAQ](#) document.

If you have not done so already, please make sure to log into the SWIFT Supplier Portal as soon as possible to get this authentication set up early so there are no issues when submitting a response to an RFP.

You are strongly encouraged to set your MFA during business hours of 8:00 A.M. to 4:00 P.M., Central Time, Monday through Friday. You may experience delay setting your MFA after hours.

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Solicitation Attachments

- Attachment A: Responder Declarations
- Attachment B: Exceptions to State's Terms and Conditions
- Attachment C: Cost Detail
- Attachment D: Responder Form
 - Workforce and Equal Pay Declaration Page

Sample Contract

- Exhibit A: Contract Terms
- Exhibit B: Insurance Requirements
- Exhibit C: Specifications, Duties, and Scope of Work
- Exhibit D: Payment Schedule

SECTION 1 – INSTRUCTIONS TO RESPONDERS

Steps for Completing Your Response	Follow the steps below to complete your response to this Solicitation: Step 1: Read the solicitation documents and ask questions, if any Step 2: Write your response Step 3: Submit your response
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 DOCUMENT & ASK QUESTIONS, IF ANY

How to Ask Questions	The contact person for questions is: Alex Caldwell, Director, Center for Health Care Affordability Minnesota Department of Health Health.Affordability@state.mn.us Questions should be emailed to the contact by August 31, 2026. Other personnel are not authorized to answer questions regarding this Solicitation.
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STEP 2 – WRITE YOUR RESPONSE

The Response Content section is in this link to [Section 4](#). Prepare a written response and supply all requested content. Responses should address the requested information and documents detailed in Section 4. **DO NOT INCLUDE** Non-Public/Trade Secret data (as defined in this link to [Minn. Stat. § 13.37](#)).

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

STEP 3 –SUBMIT YOUR RESPONSE

Where to Send Your Response	All responses to this solicitation (termed an “Event” within SWIFT) must be submitted through SWIFT using the Supplier portal (https://mn.gov/supplier). Training and documentation on how to submit your response is available through the Supplier portal link above. Fax, e-mail, and printed responses will not be accepted or considered. All costs incurred in responding to this solicitation will be borne by the responder. Late responses will not be considered. Responses received after End Date above will not be considered, even if errors or delays were caused by issues outside of responders’ control. If you need assistance please contact the SWIFT Vendor Assistance Helpline at 651-201-8100, Option 1, and then Option 1. By submitting a response, your company is making a binding legal offer for the period of time set forth below in Section 6, Conditions of Offer.
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SECTION 2 – SUMMARY OF SCOPE

1. Procurement Overview and Goals.

The Minnesota Department of Health (MDH) requests proposals to develop, calculate Minnesota's performance against, and report on healthcare affordability standards (affordability standards) to serve as a call to action and guidepost for healthcare affordability policy development in Minnesota. For the purposes of this solicitation, "affordability standards" is an umbrella term intended to include one or more agreed upon targets or benchmarks against which actual healthcare spending can be measured at both a systemic and household level. The affordability standards are intended to be a framework that includes both measurement and reporting tools for Minnesota to use to guide policy development, public reporting, and ongoing evaluation of healthcare affordability in Minnesota.

The awarded respondent will work with MDH and the Health Care Affordability Advisory Task Force (HCAATF) to clarify the purpose and intended uses of the affordability standards. The HCAATF is a multistakeholder group of 15 individuals representing consumers and employers charged with making recommendations to improve healthcare affordability in Minnesota. The vendor will also work closely with and facilitate discussions with a separate Technical Panel yet to be convened by MDH. The Technical Panel will be composed of a smaller group of individuals with a background in health economics or a related field formed specifically to advise on the development of affordability standards. The standards will be developed in consultation with the Technical Panel.

The affordability standards are intended to encompass both measures representing a target level of statewide healthcare spending and spending per Minnesota households.

- **Statewide healthcare spending:** MDH's [Health Economics Program](#) (HEP) currently analyzes historical statewide healthcare spending estimates and spending projections. These data are used by a variety of stakeholders to inform health reforms and/or policy proposals, establish business strategy, conduct planning related to workforce and budgets, and benefit considerations, among others. The new affordability standards are intended to incorporate a target or benchmark for reasonable spending or spending growth levels to which total spending can be compared.
- **Household level:** At the household level, MDH envisions a measure that could, for example, be the proportion of Minnesota household budgets spent on healthcare relative to a newly established target or benchmark for the maximum proportion of household spending considered affordable.

2. Tasks and Deliverables.

Task One: Kickoff meeting, workplan and project management. Work with MDH staff to prepare for external engagement on development of affordability standards as well as all aspects of work described in this solicitation.

Within 10 business days of contract execution, the awarded respondent will hold a kickoff meeting with MDH. The awarded respondent will use the kickoff meeting and subsequent engagement to ensure alignment on the goals of affordability standards and work needed to develop, solicit input on, calculate, and report against them.

The awarded respondent must develop a detailed draft workplan encompassing Tasks Two through Seven of this solicitation and submit the draft workplan to MDH for review, revision, and approval.

The awarded respondent should also plan to meet regularly with MDH staff throughout this engagement, at least every two weeks and potentially as often as weekly from contract execution through the first six months of the project.

Task Two: Engage the Health Care Affordability Advisory Task Force. Provide briefing materials and lead the HCAATF in a discussion about the purpose and scope of potential affordability standards in a single in person meeting to be held in October 2026. The awarded respondent will solicit HCAATF input on principles to guide development of the standards. This may require the awarded respondent to coordinate with MDH's current contractor facilitating the task forces.

Present background material to the HCAATF on illustrative examples of other states' affordability standards and the purposes for which those standards are used. In coordination with MDH, solicit feedback from the HCAATF about strategic goals and potential short- and long-term uses of affordability standards.

Task Three: Develop options. Based on strategic guidance from HCAATF members, develop up to three options for Minnesota affordability standards.

Take strategic guidance from HCAATF and create options for Technical Panel consideration. By the conclusion of the Technical Panel process, the end product would be options that include potential targets for each standard and the rationale, pros, and cons for the conceptual framework for the potential measure(s) and specific target values proposed. For initial reporting, the standards must be based on available data sources. Over time, MDH may also consider collecting new data to facilitate calculation and reporting of performance against the newly developed standards at additional levels of aggregation and/or to further develop the standards.

Task Four: Facilitate Technical Panel. Facilitate up to three (3) virtual meetings of a small (e.g., 5-8 members) Technical Panel of experts to be convened by MDH. The virtual meetings will be open to the public.

- In collaboration with MDH, prepare draft agendas, meeting materials and facilitation plans for Technical Panel meetings.
- Submit draft agenda, presentation materials, proposed pre-reads and a facilitation plan for each Technical Panel meeting to MDH for review at least three weeks (15 business days) in advance of each Technical Panel meeting.
 - These materials should help identify distinctions and tradeoffs between options, evaluate data feasibility, and provide illustrative analysis showing how affordability standard options could help policymakers make sense of current affordability challenges and healthcare spending trends in Minnesota beyond existing analyses already conducted by MDH.
- Meet with MDH to review draft materials, allowing MDH 5 five business days to provide feedback and requested changes.
- Submit revised agenda, presentation materials, and any other meeting materials to MDH at least eight business days prior to each Technical Panel meeting.
- Facilitate each Technical Panel meeting.
- Prepare draft summaries of each Technical Panel meeting (both a more detailed summary to be used for internal planning and a public summary to be posted on MDH's website). The contractor should provide the summaries within three business days of the meeting. MDH will review the draft summaries and provide feedback on them within two business days of receiving them. The contractor should return the revised summary within two business days of receiving feedback.
- MDH will be accountable for hosting the virtual meeting using MDH Teams, record all meetings, and share the meeting transcript with the awarded respondent within 24 hours of the meeting. The awarded respondent will take necessary steps to ensure the transcript meets accessibility standards and return it to MDH within five (5) business days so that MDH can post the meeting publicly online.

Task Five: Finalize affordability standards options. Based on Technical Panel input, finalize specifications for recommended affordability standards to bring to HCAATF and Provider and Payer Advisory Task Force (PPATF) for review and input. The PPATF is a multistakeholder group of 15 members representing clinicians, healthcare financing and administration experts, health plan leaders, and others with healthcare expertise. This group provides input on contextual, operational and feasibility considerations related to HCAATF discussion topics. Presentations of recommended options may be conducted virtually with each group. Respondents should assume a single presentation will be needed for each of the Task Forces (one for HCAATF and one for PPATF).

- Document specifications for affordability standards, including the following:
 - Which data sources would be used for each measure.

- How the measure(s) would be calculated, including the time periods to be measured and how current available data would be.
- Whether and to what extent adjustments will be made to the raw data and the applicability of the measure to market segments and household standards by demographic characteristics such as income level.
- Frequency of calculation and reporting
- Potential upward or downward adjustments to target spending levels in future years, depending on broader market dynamics
- Identify pros, cons and consideration of options for HCAATF and PPATF
- Identify remaining policy questions or interpretation considerations.
- Deliverables should include presentation materials for the HCAATF's consideration and sharing with the broader public as well as a brief memo including the bulleted content above for internal use. Deliverables should also include a proposed workplan and timeline for accessing needed data, calculating performance, and reporting of performance relative to the standards. MDH will review all drafts work products, provide feedback on them, and approve them.

MDH will make final decisions about the affordability standards.

Task Six: Calculate standards and Minnesota's performance against them. Following MDH's decisions about the final affordability standards, calculate Minnesota's performance against the new standards and equip MDH to collect, calculate, and report on performance in the future based on the frequency established in Task Five.

- The awarded responder will develop a detailed timeline for accessing needed data, calculating metrics, and reporting performance against targets.
- The awarded responder will calculate Minnesota's performance against the standards within 60 days of when MDH approves final affordability standards. This time period may be extended depending on the timing of when the awarded responder has access to needed data. To the extent the final standards are based on data MDH currently collects, MDH will share the aggregated data set with the awarded responder in a timely fashion to facilitate the awarded responder's work.
- MDH is prepared to provide data or access to data needed for the successful performance of this contract from the [Minnesota All Payer Claims Database \(MN APCD\)](#), the [Health Plan Financial and Statistical Report \(HPFSR\)](#), the [Minnesota Health Access Survey](#), [Minnesota estimates of healthcare spending by service and payer](#), [hospital finances and utilization](#), and a range of other data sources and projects. MDH is also prepared to offer technical documentation and provide technical assistance.
 - Given that MDH already reports many relevant trends (e.g., annual Minnesota healthcare spending and ten-year projections), the awarded respondent should plan to use existing MDH reporting and data whenever possible.
 - These data will not include any personally identifiable health information; however, they may include nonpublic data. For any use of the data, the awarded responder will be required to fulfill MDH requirements for access to and protection of data, which may include state access and data security training. These trainings are required by MDH for each team member accessing nonpublic data to meet data security and records requirements and are expected to take approximately one hour annually per person. MDH will only grant access to nonpublic data after completed documentation of training for all personnel who will be accessing the data is submitted and approved by MDH.
 - The awarded respondent should consult with MDH staff in the process of calculating and reporting on Minnesota's performance against set standards using MDH data.
- The awarded responder will develop all necessary data templates and documentation that will enable MDH staff to maintain calculation over time and report on the affordability standards and Minnesota's performance

against them. Data templates must be developed in Microsoft Excel or Microsoft PowerBI and include key data visualizations. Templates and documentation must be delivered in draft and final form, with the final version incorporating MDH feedback.

Task Seven: Communications. Produce external-facing communication tools to help explain the affordability standards, Minnesota's performance against them, and what the implications of Minnesota's performance are for a range of audiences, including policymakers.

- The awarded responder will propose a template for each product below for public reporting of affordability standards that MDH can update over time. The templates should include, at minimum:
 - One-page fact sheet(s) about the standards (e.g., methodology and purpose, and/or Minnesota's performance against the targets and what that means for policymakers).
 - Presentation materials that can be adapted to different audiences.
 - A brief (maximum of approximately five pages) report that summarizes the standards, their purpose, standard-setting methodology, Minnesota's performance, and implications to be considered by policymakers.

The awarded responder will submit the proposed templates to MDH for review and subsequently revise them based on MDH feedback.

- The awarded responder will populate the finalized template(s) with narrative, data tables, and infographics, as needed.

Task Eight: Ad hoc support. At MDH request, carry out other ad hoc tasks and analyses to support the Center for Health Care Affordability's work on affordability policy development. This could include technical memos, literature reviews, stakeholder presentations, analytic support, communications support (e.g., FAQs, press releases, webinar support), or other implementation planning. Responders do not need to include descriptions of specific types of ad hoc support in their technical proposals; however, for purposes of the cost proposal, please include the proposed personnel to be available for this ad hoc work and their hourly rates in **Attachment C: Cost Detail**.

3. General Requirements

The process for developing, submitting and finalizing deliverables must conform to the following requirements:

- All draft and final documents provided to MDH must be available in editable format in their original software program, not as a PDF.
- Reports should be written in plain language and include tables and figures where appropriate. Reports should follow the MDH style guide provided by MDH. Reports must be in accessible format per State of Minnesota accessibility requirements.
- Any use of artificial intelligence (AI) to produce any component of the project tasks and deliverables must be disclosed to and approved by MDH before such use occurs.
- The State reserves the option to amend the resulting contract of this solicitation to recommend technical adjustments to the standards and other related tasks.
- The contractor will work closely with MDH personnel.

4. Desired Qualifications

MDH seeks responders with knowledge and/or experience in the following areas:

- Working with states on healthcare affordability measures and policy development;
- Best practices in data tuning and measure development;
- Facilitating consensus among diverse stakeholders and working with technical experts;
- Producing analyses of healthcare spending; and
- Helping to design and execute on effective public reporting strategies of affordability measures.

SECTION 3 – PROPOSAL INSTRUCTIONS AND ADDITIONAL INFORMATION

1. Anticipated Contract Term.

The term of this contract is anticipated to be from October 2026 to December 2027, with the option to extend up to an additional three and one half years in increments determined by the State.

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 above 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 detailed above in writing of such error and request modification or clarification of the document.

3. Additional Tasks or Activities.

Responders are encouraged to propose additional tasks, activities, or goods above and beyond the scope of what is requested in this solicitation if they will substantially improve the results of this procurement and enhance understanding of affordability standards and how they may be used. For example, potential additional deliverables could include products (e.g., one-pagers, infographics, newsletters, reports, facilitated discussions or public meetings) designed to reach specific audiences including:

- Policymakers
- Employers and purchasers
- Healthcare organizations
- Media
- Members of the public

Potential additional deliverables will not be scored as part of the technical proposal. Please note the cost of optional additional deliverables should be clearly marked and separated out from costs associated with required tasks and activities specifically requested under this solicitation in Exhibit C. Because cost is a factor in the evaluation of responses to this solicitation, failure to separate costs for additional tasks, activities, or goods may result in those costs being included in a responder's cost proposal and result in a lower cost score for that proposal.

SECTION 4 – PROPOSAL CONTENT

Please submit the following information (please note that MDH will only review the first ten pages of proposals. Cover letters, work samples, and resumes do not count toward the ten pages):

1. Work Plan. Responder should provide a statement of the objectives, goals, and tasks to show or demonstrate the Responder's view and understanding of the nature of the contract, and what makes the Responder uniquely suited for this work. Responder should provide a description of their proposed deliverables along with a detailed work plan that identifies the major tasks to be accomplished and be used as a scheduling and managing tool, as well as the basis for invoicing. The work plan should describe the proposed sequence of activities and expectations of MDH, key milestones, opportunities for MDH to conduct stakeholder engagement, and decision points. This document should NOT list cost detail. If cost detail is included in this document, the State may disqualify the proposal as non-responsive.
2. Methodology. Responder should provide a description of how they will accomplish the State's objectives and measure success by identifying research methods, rationale for selecting the particular methods, manage risk and how they will analyze and interpret data. Because the scope of work for this engagement involves collaborative creation of the affordability standards to be calculated, this section of the proposal should focus on the vendor's proposed process for helping Minnesota define, develop, test, and implement affordability standards rather than implementation of a specific standard.
3. Qualifications and Experience. Responder should provide an outline of background and experience with examples of similar work done by the Responder and a list of personnel who will conduct the project, detailing their training, and work experience. Resumes or other information about project personnel should not, if possible, contain personal telephone numbers, home addresses, or home email addresses. If it is necessary to include personal contact information, please clearly indicate in the response that personal contact information is being provided. Resumes do not count toward the technical proposal page limit. Responders should describe if/how responder meets the Desired Qualifications listed in Section 2.
4. Work Sample. Please provide one representative and brief work product demonstrating your team's ability to communicate complex healthcare-related technical concepts to policymakers and/or the public and that reflects the quality of deliverables to be provided to the State. MDH is especially interested in examples of work conducted in collaboration with other states which have implemented similar healthcare affordability standards such as cost growth benchmark programs, primary care targets, or other approaches that include technical analysis, stakeholder engagement, and public reporting. Responder should explain their understanding of how states use affordability standards and what lessons Minnesota should consider in this effort.
5. Cost Detail. Complete and submit Attachment C, "Cost Detail," attached to this solicitation.

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

1. Attachment A: Responder Declarations
2. Attachment B: Exceptions to State's Standard Terms and Conditions
3. Attachment C: Cost Proposal
4. Attachment D: Responder Forms
 - a. Workforce and Equal Pay Declaration Page
 - b. Equal Pay Certificate Form

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. The evaluations will be conducted in three phases:

- Phase 1 - Review responses for responsiveness and pass/fail requirements
- Phase 2 - Evaluate responses
- Phase 3 - Select finalist(s)

1. Phase 1 – Responsiveness and Pass/Fail Requirements

The purpose of this phase is to determine if each response complies with mandatory requirements. The State will first review each proposal for responsiveness to determine if the Responder satisfies all mandatory requirements. The State will evaluate these requirements on a pass/fail basis.

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

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

2. Phase 2 - Evaluate Responses

Only those responses found to have met Phase 1 criteria will be considered in Phase 2.

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

- | | |
|--------------------------------------|---|
| 1. Work Plan for Deliverables | 200 points |
| 2. Methodology | 100 points |
| 3. Qualifications and Experience | 300 points |
| 4. Work Sample | 100 points |
| 5. Cost Detail | <u>300 points</u> |
| | 1000 points |
| 6. Preference Points (if applicable) | 120 points (in addition to 1,000 available) |

Preference points are described under Solicitation Terms and will be applied to the total score after points have been awarded.

3. 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.

It is anticipated that the evaluation and selection will be completed by September 30, 2026.

SECTION 6 – UNENFORCEABLE TERMS AND SOLICITATION TERMS

Unenforceable Terms

As of July 1, 2025, certain terms are unenforceable in state contracts. See Session Laws, 2025 Regular Session, [Chapter 39](#), Article 2, Section 45.

Unenforceable terms

- (a) A contract entered into by the state shall not contain a term that:
- (1) requires the state to defend, indemnify, or hold harmless another person or entity, unless specifically authorized by statute;
 - (2) binds a party by terms and conditions that may be unilaterally changed by the other party;
 - (3) requires mandatory arbitration;
 - (4) attempts to extend arbitration obligations to disputes unrelated to the original contract;
 - (5) construes the contract in accordance with the laws of a state other than Minnesota;
 - (6) obligates state funds in subsequent fiscal years in the form of automatic renewal as defined in section 325G.56; or
 - (7) is inconsistent with chapter 13, the Minnesota Government Data Practices Act.
- (b) If a contract is entered into that contains a term prohibited in paragraph (a), that term shall be void and the contract is enforceable as if it did not contain that term.

Solicitation Terms

1. 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.

2. 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.

3. Data Security - Foreign Outsourcing of Work is Prohibited

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.

4. 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).

5. 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.

6. Rights Reserved

The State reserves the right to:

- Reject any and all responses received;
- Waive or modify any informalities, irregularities, or inconsistencies in the responses received;
- Negotiate with the highest scoring Responder[s];
- Terminate negotiations and select the next response providing the best value for the State;
- Consider documented past performance resulting from a State contract 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.

4. 7. 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.

5. 8. 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.

6. 9. Trade Secret Information

9.1 Responders must not submit as part of their response trade secret material, as defined by Minn. Stat. § 13.37.

9.2 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.

9.3 The State does not consider cost or prices to be trade secret material, as defined by Minn. Stat. § 13.37.

9.4 A responder may present and discuss trade secret information during an interview or demonstration with the State, if applicable.

10. 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.

11. 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.

12. 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.

13. Targeted Group, Economically Disadvantaged Business, Veteran-Owned and Individual Preference

Unless a greater preference is applicable and allowed by law, in accordance with Minn. Stat. § 16C.16, businesses that are eligible and certified by the State as targeted group (TG) businesses, economically disadvantaged (ED) businesses, and veteran-owned businesses will receive points equal to 12% percent of the total points available as preference.

For TG/ED/VO certification and eligibility information visit the Office of Equity in Procurement website at <https://mn.gov/admin/business/vendor-info/oep/> or call the Division's Helpline at 651.201.2402.

14. Reciprocity

State shall comply with Minn. Stat. § 16C.06, subd. 7, as that applies to a non-resident vendor. This paragraph does not apply for any project in which federal funds are expended.