



Request for Proposal (RFP)

Development of Public Service Announcements (PSA) pertaining to  
Dropout Prevention and Recovery

April 2006

State of New Hampshire  
Department of Education  
21 So. Fruit Street, Suite 20  
Concord, New Hampshire 03301-3860

In conjunction with

Workforce Opportunity Council

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This is a Request for Proposal (RFP) issued by the New Hampshire Department of Education. This RFP solicits expressions of interest from all Vendors who wish to be considered as a provider for the development of television and radio public service announcements (PSA) related to dropout prevention and recovery. Development of these public service announcements will be in conjunction with the Workforce Opportunity Council, its subcommittees (Youth Council and/or Youth Voices (made up of student representatives in the WIA Youth funded programs), NH Dept. of Education, Bureau of Youth Workforce Administrator and in consistency with all specifications set forth in this document and the State of New Hampshire Contract Standard Terms and Conditions (Form P37).

## 1 INSTRUCTIONS

- 1.1 Purpose.** The Department of Education also known as the “NHDE” is issuing this Request soliciting Vendors qualified to develop and distribute radio and television public service to develop the following deliverables. The services will include but not be limited to:

**Working with the Workforce Opportunity Council/Youth Council’s subcommittees, in particular, Youth Voices in the development, implementation and distribution of public service announcements regarding dropout prevention and dropout recovery.**

- 1.1.1** Work with Youth Voices students, Youth Workforce Administrator, Youth Council representative, Workforce Opportunity Council, and State officials in the design, development, and delivery of public service announcements regarding topics related to dropout prevention and dropout recovery.
- 1.1.2** State and/or business leaders, members of the Youth Voices or peers in WIA Youth funded programs may be spokespeople regarding these PSA topics.
- 1.1.3** A minimum of three 15-second and 30-second PSA’s that simulataneously can be used for television and radio broadcast will be developed in PY06 and PY07 (7/1-6/30).
- 1.1.4** Production and distribution to New Hampshire’s PSA media markets (television and radio).
- 1.2 Proposal Inquiries.** All inquiries concerning this RFP shall be made in writing, citing the RFP Title, Page, Section, and Paragraph, and submitted to:

**Bonnie St. Jean, Administrator**

**Bureau of Youth Workforce  
New Hampshire Department of Education  
21 So. Fruit Street, Concord, NH 03031  
Concord, NH 03301  
Phone: (603) 271-3805  
FAX: (603) 271-7095  
E-Mail: bst.jean@ed.state.nh.us**

Questions may only be submitted by an individual authorized to commit the organization to provide services necessary to meet the requirements of this RFP. Vendors are encouraged to submit questions via email to Mrs. St. Jean.

All inquiries must be received no later than June 22, 2006 at 4 pm. Inquiries received after this date and time will be addressed only if they are deemed by NHDE to be critical to the competitive selection process. An official written answer will be provided to all questions meeting these requirements and distributed to all via the NH Department of Education web page, [www.ed.state.nh.us](http://www.ed.state.nh.us)

- 1.3 Proposal Instructions.** NHDE encourages free and open competition among vendors. Specifications, proposals, and conditions are designed to accomplish this objective, consistent with the NHDE needs and guidelines.

The vendor's signature on a proposal submitted in response to this RFP guarantees that the prices quoted have been established without collusion with other eligible vendors and without effort to preclude NHDE from obtaining the best possible competitive proposal.

Specifications required by the RFP are detailed in *Section 3.0 - Scope of Work*. In responding to the RFP, the vendor shall address all requirements for information, and frame their proposal in the format outlined in *Section 5.0 - Proposal Format*.

Any proposal determined to be non-responsive to the specifications or other requirements of this RFP, including instructions governing format, may be disqualified without evaluation. The NHDE shall reserve the right to clarify and seek supplemental information to any proposal submitted.

- 1.4 Proposal Submission.** All proposals in response to this RFP shall be submitted as outlined in *Section 1.14 - Schedule of Events* to:

**Bonnie St. Jean  
New Hampshire Department of Education  
Bureau of Youth Workforce  
21 South Fruit Street, Suite 20  
Concord, NH 03301-3860**

Vendors shall submit one (1) original and five (5) clearly identified copies of their proposal clearly marked.

No more than one proposal per respondent should be submitted.

**1.5 Terms of Submission.** All material received in response to this RFP shall become the property of NHDE and will not be returned to the vendor. Regardless of the vendor selected, NHDE reserves the right to use any information presented in a proposal. The content of each vendor's proposal shall become public information once a contract has been awarded.

**1.6 Project Implementation Date.** Anticipated start date for this project is September, 2006. The contract will run from date of Governor and Council approval through June 30, 2008. The vendor will be kept abreast of any deviation from the intended start date.

**1.7 Vendor Responsibility.** The successful vendor shall be solely responsible for meeting all terms and conditions specified in the RFP, their proposal, and any resulting contract. Any subcontractor shall be approved by the NH Department of Education and the Workforce Opportunity Council.

**1.8 Evaluation and Award of Contract.** The RFP process is a procurement option allowing the contract award to be based upon stated criteria or evaluation factors as listed in *Section 6 – Selection/Evaluation Process and Criteria* of this RFP.

If NHDE awards a contract relative to this RFP, the successful vendor shall be advised by letter. A contract will be developed by NHDE and will incorporate this RFP and the successful vendor's proposal.

**1.9 Contract Security.** There is no contract security required by NHDE.

**1.10 Liability.** The NHDE shall not be held liable for any costs incurred by the vendor in the preparation of their proposal, or for work performed prior to contract issuance.

**1.11 Non-Commitment.** The solicitation of the RFP shall not commit NHDE to award a contract or pay any costs incurred in the preparation of a proposal in response to this RFP.

**1.12 Schedule of Events**

EVENTS	ANTICIPATED DATE

RFP Released to Vendors (on or about)	May 1, 2006
Vendor Inquiry Period	Mid May through 06/01/06
Final State Responses to Vendor Inquiries	06/01/06
Final Date for Proposal Submission	06/22/06
Proposal Evaluation Completed <ul style="list-style-type: none"> <li>Youth Voices &amp;/or Youth Council</li> </ul>	6/23-6/30
Review Committee Recommendations to Youth Voices and Youth Council	07/01/06
Vendor Notification of Selection	07/02/06
Contract Finalization	July, 2006
Approval of Contract by Executive Council of the State of New Hampshire	September, 2006
Commence Work	September, 2006
Meeting with Youth Voices to gather their input and priority topics for Dropout Prevention and Recovery and development of implementation and delivery plan for PY06	October, 2006
PY06 first draft of PSA's to Youth Council for review and approval	December, 2006
Development and delivery of PSA (TV and Radio)	January through March, 2007
Meeting with Youth Voices to gather their input and priority topics for Dropout Prevention and Recovery and development of implementation and delivery plan for PY07	09/07
PY07 draft of PSA's to Youth Voices and Youth Council for review and approval	11/07
Development and delivery of PSA (TV and Radio)	12/07-3/08

**2. GENERAL INFORMATION.**

## 2.1 General Overview:

**The mission of NH Department of Education** is to provide educational leadership and services which promote equal educational opportunities and quality practices and programs that enable New Hampshire residents to become fully productive members of society. The Department's Bureau of Youth Workforce is a grant recipient for Workforce Opportunity Council Workforce Investment Act funds that are focused on dropout prevention and recovery in an employment and training context to targeted youth.

**The Workforce Opportunity Council** sponsors the NH Works system through use of Workforce Investment Act funds. Its vision is to serve as a catalyst to establish a secure and sustainable workforce that can meet current and future skilled labor needs and provide a competitive advantage for New Hampshire businesses. Its mission is promote life-long learning by partnering with businesses, agencies, and organizations to bring the state's education, employment and training programs together into a workforce development system that will provide the means for residents of New Hampshire to gain sufficient skills, education, employment and financial independence.

**The Youth Council** is a subgroup of the Workforce Opportunity Council. Appointed by the Governor, members include representatives of youth-serving agencies, parents and members of the Workforce Opportunity Council.

**The Youth Voices** is a subcommittee to the Youth Council consisting of student representatives from the Workforce Investment Act youth funded programs from across the state. They meet on a monthly basis during the school year and provide input to the Youth Council while gaining leadership opportunities.

## 3. Scope of Work

**3.1 General Scope and Business Specifications.** The qualified vendor may be contracted to provide services in one or more service categories specified in *Section 3 - Scope of Work* of this RFP.

**3.1.1 Hourly Rate Ranges.** Vendors are requested to complete the *Appendix B Vendor Services Hourly Rates* with the hourly rate range(s) for which the NHDE can expect to compensate the vendor's staff for services for the duration of the contract. The hourly rate range(s) will be fixed for the term of the contract.

**3.1.2 Reasonable Travel Expenses.** The vendor must agree that if it is awarded a contract from this RFP, it will adhere to the following travel expense requirements:

**3.1.2.1** Include in the status report a summary of travel expense.

**3.1.3 Shipping and Delivery Fee Exemption.** All items covered under this contract are exempt from shipping charges. The vendor must not include shipping charges on any invoice.

**3.1.4 Performing Services.** The vendor will perform all services in a manner acceptable to the NHDE.

**3.1.5 Confidential Information.** The vendor agrees that all discussions or information gained during an engagement shall be considered confidential and that no information gathered by the vendor shall be released without prior consent of the Commissioner of NHDE.

**3.1.6 Monthly Report (Program Review Report).** The vendor must submit monthly Program Review Reports to NHDE. The vendor must make available all program and revenue information, personnel or materials performed with eligible government entities utilizing this contract. The report content will include for each engagement in the reporting period, the following information:

**3.1.6.1 Vendor Information** - name, address, phone number, fax number, e-mail, web page URL, and links to web page;

**3.1.6.2 Vendor Engagement Report** - information concerning engagement for which services were provided during the reporting period, including, for each engagement, the name of the NHDE Program; the name, telephone number and e-mail address of a contact person at the using group; and the start and end dates of the engagement. For each engagement, list the employees supplied, including their hourly rates, total hours, and total amount billed. If the engagement began before, or ended after, the reporting period, only those hours worked during the reporting period should be included.

**3.1.7 Hourly Rate and/or Fixed-Fee.** The NHDE is asking for fixed fee for this RFP. The NHDE is also seeking hourly rates for the remainder of the period for specific skill levels appropriate to the work involved. **Quotes (Fixed-Fee)** – The vendor’s quoted rates and fixed fee price for the deliverables required for this engagement are to be provided in the format outlined in *Appendix A – Service Activities and Deliverables*.

**3.1.8 Project Fee Hold Back.** The NHDE will hold ten percent (10%) of the fees for the services, tasks, deliverables, that are performed by the vendor for this engagement until successful completion of each Program year Phase.

**3.2 Statement of Work.** The successful Vendor will be responsible for working in partnership with the NHDE personnel to provide all requirements and deliverables defined below. The requirements listed in Section 3.2 Statement of Work are common to all the areas of analysis:

**Working with the Workforce Opportunity Council/Youth Council's subcommittees, in particular, Youth Voices in the development, implementation and distribution of public service announcements regarding dropout prevention and dropout recovery.**

- 3.2.1** Work with Youth Voices students, Youth Workforce Administrator, Youth Council representative, Workforce Opportunity Council, and State officials in the design, development, and delivery of public service announcements regarding topics related to dropout prevention and dropout recovery.
- 3.2.2** State and/or business leaders, members of the Youth Voices or peers in WIA Youth funded programs may be spokespeople regarding these PSA topics.
- 3.2.3** A minimum of three 15 –second and 30-second PSA's that simulataneously can be used for television and radio broadcast will be developed in PY06 and PY07 (7/1-6/30).
- 3.2.4** Production and distribution to New Hampshire's PSA media markets (television and radio).

**3.3 Schedule and Pricing**

Vendors shall provide a preliminary schedule and detailed pricing plan to accomplish the services, activities and tasks to produce the deliverables required.

**4 STAFFING.**

Using all information contained in or referenced to in this RFP and its prior experience, the selected vendor must propose to provide a baseline complement of staff to perform contract services, professional public relations, and project management.

**4.1 Key Personnel.**

- 4.1.1 New Hampshire Department of Education.** NHDE will have one Project Manager assigned to this project. The NHDE portion of this project will be under the direction of the following individual:

**Bonnie St.Jean, Administrator  
Bureau of Youth Workforce  
New Hampshire Department of Education  
21 South Fruit Street, Suite 20  
Concord, NH 03301-3860  
603-271-3805  
603-271-7095 - Fax**

**4.1.2 Vendor.** Key personnel are defined as the proposed Project Manager and professional staff. It is highly desirable that each of the proposed key personnel possess the experience described below.

#### **A. QUALIFICATIONS OF KEY PERSONNEL**

- 1) **PROJECT MANAGER:** has overall project responsibility for all vendor proposed staff and activities. The Project Manager will work closely with Youth Council, Youth Voices, and DOE Bureau Administrator. Qualifications for the vendor's Project Manager should include seven years of public relations experience including three years project management experience. The Project Manager should also have significant responsibility for a project similar in size, functionality and scope.
- 2) **SUBJECT MATTER EXPERTS:** Qualifications for these personnel should be able to demonstrate several years of experience in producing television and radio public service announcements.

**4.2 Staff Retention.** NHDE reserves the right to review résumés, interview, and approve or disapprove anyone, including non-key staff proposed for work on this contract and to require removal and replacement of any individual, who in the sole judgment of the NHDE's Project Manager, is not performing satisfactorily.

## **5 PROPOSAL FORMAT**

**5.1 General Information.** The vendor shall respond to this RFP according to the format specified below. All responses must be concise, well organized and provide sufficient detail, where appropriate, which will allow the evaluators to clearly determine the benefit of the vendor's offering.

If the company product literature or other publications are attached and intended to be used in direct response to an RFP requirement, the response must include reference to the document name and page number.

Proposals should also include a detailed review of those factors that differentiate a respondent from those competing for this project.

Proposals will be evaluated and scored as described in *Section 6 – Selection/Evaluation Process and Criteria*.

**5.2 Proposal Outline.** The vendor when presenting their proposal must use the following outline:

- 5.2.1 Cover Page
- 5.2.2 Transmittal Letter
- 5.2.3 Table of Contents
- 5.2.4 Glossary of Terms and Abbreviations
- 5.2.5 Section I: Executive Summary
- 5.2.6 Section II: Company Profile
- 5.2.7 Section III: Project Manager Profile
- 5.2.8 Section IV: Experience
- 5.2.9 Section V: Personnel Resumes
- 5.2.10 Section VI: Detailed Response
- 5.2.11 Section VII: Cost Proposal
- 5.2.12 Section VIII: Terms and Conditions Agreement

### 5.3 Proposal Description.

- 5.3.1 **Cover Page.** The first page of the Vendor's Proposal must be a cover page containing **New Hampshire Department of Educations Dropout Prevention and Recovery Public Service Announcement Proposal**. It must include the vendor's name, contact person, contact telephone, address, city, State, zip code, fax number, and email address. All subsequent pages must be numbered.
- 5.3.2 **Transmittal Letter.** The transmittal letter shall be a formal letter from the vendor and shall be prepared in a standard business format. The letter should be brief, signed by a person authorized to commit the organization to perform the work specified in the RFP and identify all materials and enclosures being forwarded. The letter should also include:
  - 5.3.2.1 The name of the person who will serve as the vendor's representative for all matters relating to the RFP.
  - 5.3.2.2 A Statement must be included indicating the vendor's submitted proposal is valid for a minimum of 180 days from the proposal due date.
  - 5.3.2.3 The letter must contain the name of the project: **New Hampshire Department of Education Dropout Prevention and Recovery Public Service Announcement Proposal**.
  - 5.3.2.4 An acknowledgement that the respondent has read this RFP, understands it, and agrees to be bound by its requirements, terms and conditions.
- 5.3.3 **Table of Contents.** The vendor must provide a Table of Contents with corresponding page numbers relating to their proposal. Vendors are encouraged to provide as much detail as necessary but at a minimum, the Table of Contents must conform to the outline listed in *Section 5.2 – Proposal Outline*.
- 5.3.4 **Glossary of Terms and Abbreviations.** The vendor must provide a glossary of all terms and/or abbreviations used throughout their proposal.

**5.3.5 Executive Summary.** The Executive Summary must summarize the vendor's proposed services to be performed and the total price of the project. The vendor should clearly identify their qualifications to meet the requirements defined in the RFP and offer an approach that reveals a clear understanding of the requirements of the RFP.

**5.3.6 Company Profile.** The vendor shall provide at a minimum the following information:

**5.3.6.1** General company overview, background, number of employees, current project commitment, number of staff having experience with State Public Information Planning Projects, etc.

**5.3.6.2** Vendor's Financial Statement – (1) most recent audited Annual Report, or (2) audited Statement of income and retained earnings for last two years and an audited balance sheet for the last two years.

**5.3.6.3** Certificate of Good Standing/Authority – the form should be acquired through the NH Secretary of State's Office, which documents that the vendor is authorized to do business in the State.

**5.3.6.4** Litigation – explain any outstanding lawsuits related to the Vendor's past performance under contract on the acquisition, development or implementation of business or system projects.

**5.3.7 Sub-Contractor Profile.**

**5.3.7.1** General company overview, background, number of employees, current project commitment, other.

**5.3.7.2** Contractual relationship between companies. The primary contractor is responsible for all deliverables, schedule deadlines, etc.

**5.3.8 Experience.**

**5.3.8.1 Overview.** Vendors must include the length of the time for the project, contracted dollar value of the project, project description, and state if the project was completed on time and within the contracted dollar amount.

**5.3.8.2 Capability.** Vendor must provide information demonstrating their staff is of sufficient size and experience to complete the requirements outlined in this RFP. Previous experience with technology, public information in the area of education, and marketing should be highlighted.

- 5.3.8.3 Public Sector Experience.** Vendor must provide knowledge of public sector and State government needs.
- 5.3.8.4 References (minimum of three).** Vendor must provide a minimum of three references, preferably to projects described in *Section 5.3.8.1 - Overview*.
  - 5.3.8.4.1** Public sector, including State agencies and the federal or other State government
    - Name
    - Title
    - Address
    - Phone/fax numbers
    - E-mail address
  - 5.3.8.4.2** Other references for projects of similar scope
    - Organization name
    - Dates of project/contract

**5.3.9 Personnel Resumes.** The vendor shall confirm that all personnel to be assigned to this project shall be qualified to perform such services, and must include resumes of those individuals. Each resume must clearly indicate the qualifications and responsibilities to be assigned to the individual identified.

Resumes, which include experience, education, and training, must be included for the coordinator and any other lead or senior proposed development and support personnel.

**5.3.10 Detailed Response.** The vendor must confirm that their proposed solution will meet or exceed the requirements as outlined in the RFP, and must clearly describe how the vendor's proposed solution will accomplish this. Vendors should, in this section, provide a comprehensive and detailed description of the products and services to be provided in response to the requirements described in *Section 3.0 – Scope of Work* of the RFP. An explanation of how each requirement can, or cannot, be met must be included. Responses must be in the same sequence and format as listed in *Section 3.0 – Scope of Work* and must cite page and paragraph number.

**5.3.10.1 Overview.** Provide an overview of the vendor's understanding of NHDE's requirements as specifically identified or implied in the RFP. A Statement must be included specifying the vendor's acceptance of the contractual specifications set forth in Section 3. This section of the proposal will be evaluated and scored as described in *Section 6.3- Selection/Evaluation Process Criteria*.

**5.3.10.2 Project Approach.** Describe in detail the Vendor's current expertise in the following areas:

- 5.3.10.2.1** Description of the methodology and skills to match State requirements.
- 5.3.10.2.2** Description of the management of these services.
- 5.3.10.2.3** Approach and services to meet the requirements and details outlined in *Section 3.2 – Statement of Work*.

The vendor must provide the time frame for completion of the activities and deliverables described in *Section 3 – Scope of Work* of this RFP.

**5.3.11 Cost Proposal.** This section describes the requirements to be addressed by vendors in preparing the cost proposal. The State reserves the right to review all aspects of the cost proposal for reasonableness and to request clarification of any proposal where the cost component shows significant and unsupported deviation from the vendor’s proposal, industry norms, or in areas where detailed pricing is required.

**5.3.11.1 Compensation.** The State encourage respondents, in their responses to the RFP, to be as creative as possible regarding cost to the State, as cost efficiency for the State will be a consideration in determining whether a contract(s) will be awarded.

**5.3.12 Terms and Conditions Agreement.** In addition to any other requirements defined in this RFP, should a contract be awarded, the selected vendor is required to comply with the State of New Hampshire Standard Contract Terms and Conditions, (P37) and with this RFP.

## **6 SELECTION/EVALUATION PROCESS AND CRITERIA.**

The Youth Council and NHDE will select a group of personnel to act as an evaluation team. The procedure for evaluating the proposals will be as follows:

**6.1 Proposal Receipt and Review.** Proposals will be reviewed to initially determine if minimum submission requirements have been met. The review will verify that the proposal was received before the date and time specified in *Section 1.14 – Schedule of Events* with the correct number of copies, the presence of all required signatures, and the proposal is sufficiently responsive to the needs outlined in the RFP to permit a complete evaluation. Failure to meet minimum submission requirements could result in the proposal being rejected and not included in the evaluation process.

Upon receipt, the proposal information will be disclosed to the evaluation committee members only. Vendors may not contact members of the evaluation

team except at the State's request. The proposal will not be publicly opened. The possible need for negotiations or BEST AND FINAL OFFER necessitates the need for privacy.

Although proposals may be accepted and a contract awarded without discussion, the State plans to initiate discussions should clarification or negotiation be necessary. These discussions will usually be limited to all acceptable proposals but may also be extended to personnel to discuss technical and contractual aspects of the proposal.

- 6.2 Proposal Evaluation and Categories.** Accepted proposals will be graded by the Evaluation Team based on the vendor's responses to the requirements. Scoring shall include information obtained by reviewing the vendor's proposal documents, contacting references, and conducting vendor interviews and product demonstrations if applicable. Possible points to be awarded for each section of the RFP are identified below. The Evaluation Team shall be under no obligation to contact vendors for clarification of proposals, but it shall reserve the right to do so at any time prior to contract award.

Each proposal will be evaluated on the basis of the categories below. A point score will be established for each response in each category. Based on the results of the evaluation, the proposals determined to be most advantageous to the State, taking into account all of the evaluation factors, may be selected by the State for further action. If technical proposals are close to equal, greater weight could be given to price.

- 6.3 Evaluation Criteria.** Proposals will be evaluated based upon the proven ability of the respondent to satisfy the requirements in *Section 5 – Proposal Format* of this RFP in a cost-effective manner. Specific criteria are:
- 6.3.1 Experience in providing similar services (35%)**
  - 6.3.2 Statement of understanding and approach demonstrating an ability to deliver quality services (25%)**
  - 6.3.3 Personnel Resume (15%)**
  - 6.3.4 Cost (25%)**
- 6.4 Proposal Rejection.** The NHDE reserves the right to reject any and all proposals deemed non-responsive to the requirements set forth in the RFP.
- 6.5 Public Disclosure.** The information submitted by the vendor, including Statements and letters shall be subject to public disclosure as required by Federal and State right-to-know law, RSA CH. 91-A (1990). Responses to the RFP will be disclosed to the evaluation committee and the Youth Council only, and responses will not be publicly opened until after contract award. The possible need for negotiations or for Best and Final Offers precludes general release of this information until after contract award.

Award will be made to the responsible vendor whose proposal is deemed to be the most advantageous to the NHDE, taking into consideration all evaluation factors. Only those evaluation criteria outlined in the RFP will be used. A register of proposals will be prepared and open to the public after all discussions, negotiations, and final awards have been made.

- 6.6 Best and Final Offer.** The State may determine if it is in the best interest of the State to seek a BEST AND FINAL OFFER from vendors submitting acceptable and/or potentially acceptable proposals. The BEST AND FINAL OFFER would provide a vendor the opportunity to amend or change their original proposal to make it more acceptable to the NHDE. The NHDE reserves the right whether or not to exercise this option.
- 6.7 Project Budget/Limitation on Price.** The federal allocation of WIA youth funds for FY07 and FY08 has not yet occurred. Funding levels will be determined as a result of contract received by NHDE from the Workforce Opportunity Council.
- 6.8 Agreement of General Provisions.** Vendors must indicate their agreement to enter into a contract with the State.
- 6.9 Selection, Notification, and Award of Contract.** Although proposals may be accepted and a contract awarded without discussion, the NHDE may initiate discussions should clarification or negotiation become necessary. These discussions will usually be limited to all acceptable proposals but may also be extended to the potentially acceptable proposals. Vendors shall be prepared to send qualified personnel to discuss technical and contractual aspects of the proposal.

If the NHDE awards a contract relative to this RFP, the successful vendor shall be advised by letter. The contract shall incorporate in its provisions this RFP, the successful vendor's proposal and any other pertinent documents. Any contract awarded as the result of this RFP shall be originated by the NHDE and shall be contracted in accordance with and governed by the laws of the State of New Hampshire and approved by the Executive Council of the State of New Hampshire.

Public announcements or news releases pertaining to any contract awarded shall not be made without the written permission of the Commissioner of the NHDE.

- 6.10 Choice of Law.** Any contract awarded as a result of this RFP will be originated by NHDE, in accordance with and governed by the laws of the State of New Hampshire.
- 6.11 Term.** The contract will become effective upon approval of the Executive Council of the State of New Hampshire. The contract will run through June 30, 2008.

Specific due dates for the various products and services to be delivered under any resulting contract will be set by mutual agreement between the vendor and NHDE.

NHDE will be under no obligation to reimburse the vendor for any work undertaken by the vendor prior to the effective date of the contract.

#### **6.12 Warranty. NA**

### **7 PAYMENT SCHEDULE.**

**7.1 State Owned Documents and Copyright Privileges.** During the period of the contract, the contractor shall provide State access to all State-owned documents, materials, reports and other work in progress relating to this RFP as work for hire. Upon expiration or termination of the contract with NHDE, the contractor will turn over all State-owned documents, material, reports and work in progress relating to this RFP to NHDE.

The NHDE and Workforce Opportunity Council shall have all ownership of and title to all materials developed for or in the course of this contract. NHDE shall have sole right to produce, publish, or otherwise use, such materials developed under the contract, and to authorize others to do so.

#### **7.2 Terms of Payment.**

**7.2.1 Terms and Pricing.** Terms and hourly pricing support will be broken out by Deliverable, Date and Amount. The resulting contract will be a Not to Exceed (NTE) contract with payments made only upon acceptance by the State of each deliverable with the associated holdback fee.

**7.3 Payment.** Invoices for payment shall be submitted to:

**Bonnie St. Jean, Administrator  
Bureau of Youth Workforce  
New Hampshire Department of Education  
21 So. Fruit Street, Suite 20  
Concord, NH 03301-3860  
603-271-3805  
603-271-7095 - Fax  
bst.jean@ed.state.nh.us**

Invoices shall contain sufficient detail to allow proper verification of charges. Each invoice will itemize the deliverables and each individual's staff time to complete the deliverable. No invoices will be paid until approved by the NHDE Project Manager.

The vendor shall maintain documentation for all charges against the NHDE under this contract. The books, records, and documents of the vendor, insofar as they relate to work performed or money received under this contract, shall be maintained for a period of five full years from the date of the final payment, and shall be subject to audit at any reasonable time and upon reasonable notice, by the State or any appropriate federal agency, or their duly appointed representatives. The records shall be maintained in accordance with Generally Accepted Accounting Principles (GAAP).

**APPENDIX A**

**SERVICES - ACTIVITIES AND DELIVERABLES**

**APPENDIX A: Services – Activities and Deliverables  
(Vendors Are To Complete Table)**

<b>Deliverables</b>	<b>Due Date</b>	<b>Payment %</b>	<b>Payment Amount</b>
<b>PY06 PSA Plan, Timeline and Approval:</b>			
<b>PY06 (7/1/06-6/30/07)PSA One:</b>			
<b>PY06 (7/1/06-6/30/07)PSA Two:</b>			
<b>PY07 PSA Plan, Timeline and Approval:</b>			
<b>PY07 (7/1/07-6/30/08) PSA One:</b>			
<b>PY07 (7/1/07-6/30/08) PSA Two:</b>			

**APPENDIX B**

**Vendor Services  
Hourly Rates**

**APPENDIX B: Vendor Services – Hourly Rates  
(Vendors Are To Complete Table)**

<b>Position Title</b>	<b>Rate \$</b>
<b>Project Manager:</b>	
<b>Professional Staff:</b>	
<b>Other Positions as Deemed Appropriate:</b>	

Vendors should add or remove positions as deemed appropriate.  
Deliverables will be priced in a fixed fee basis.