



**STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Purchasing Division
515 East Musser Street, Suite 300 | Carson City, NV 89701
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**Request for Proposal: 10TCA-S1626
For
INTERNATIONAL SALES AND PUBLIC RELATIONS REPRESENTATION – LATIN AMERICA**

Release Date: 06/15/2021
Deadline for Submission and Opening Date and Time: 07/07/2021 @ 2:00 pm
Refer to Proposal Timeline and Submission Requirements for complete RFP schedule and submission instructions

Single point of contact for the RFP:
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1. APPLICABLE REGULATIONS GOVERNING PROCUREMENT

- 1.1. All applicable Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) documentation can be found at: www.leg.state.nv.us/law1.cfm.
- 1.2. Prospective vendors are advised to review Nevada's ethical standards requirements, including but not limited to NRS 281A, NRS 333.800, and NAC 333.155.

2. PROJECT OVERVIEW

- 2.1. The State of Nevada Purchasing Division, on behalf of the Nevada Division of Tourism is seeking proposals from qualified vendors to provide International Sales & Public Relations Representation for services in Latin America as described in the scope of work and attachments.
- 2.2. The State intends to award one (1) contract in conjunction with this Request for Proposals (RFP), as determined in the best interests of the State. Nevada Division of Tourism shall administer the contract resulting from this RFP. The resulting contract is expected to be for a contract term of two (2) years, subject to Board of Examiners approval. Contract term will commence September 15, 2021 and expire September 30, 2023, with an option to extend for an additional two (2) years.

2.3. AGENCY BACKGROUND

- 2.3.1. Nevada Department of Tourism and Cultural Affairs exists to help achieve the statewide strategic priority of a vibrant and sustainable Nevadan economy. The Division of Tourism accomplishes this by effectively promoting statewide tourism to enhance economic vitality of Nevada and the quality of life for all Nevadans. Tourism has a direct relationship with increases in revenues and taxes in Nevada's communities, and Travel Nevada works to promote the continued success of tourism. The Division of Tourism is funded entirely by lodging tax revenues, so driving overnight visitation is critical to the Division's ability to continue to market the state and ensure long-term sustainability.
- 2.3.2. The contract budget is no higher than \$300,000.00 per fiscal year for a total of \$600,000.00 for the initial two (2)-year contract.

2.4. GOALS AND OBJECTIVES

- 2.4.1. This Request for Proposal (RFP), seeks an interested firm to represent the State of Nevada as a contractor to promote the State as a travel destination to Latin Americans living in Mexico, Central and South America. Mexico will be the primary focus; Central and South America will be a secondary focus based on post COVID market trends.
- 2.4.2. The Division of Tourism is seeking a representative firm with expertise in integrated marketing disciplines including sales, marketing, promotions and public relations.
- 2.4.3. The awarded vendor must possess a strong understanding of working with the Latin American traveler and tour agencies, U.S. reception that serve the market, as well as branches of the U.S. Commercial Service., Chambers of Commerce and other international trade entities in key cities.
- 2.4.4. The awarded vendor may also work with other State of Nevada agencies including: Nevada's statewide rural and urban tourism partners including Las Vegas, Reno, Virginia City, Elko and Lake Tahoe destination marketing organizations, Nevada's Tourism Territory organizations, Brand USA and its contractors, and organizations involved with promoting travel to the U.S.
- 2.4.5. Identify a benchmark awareness of Nevada among targeted markets (travel trade and consumer) via survey.
- 2.4.6. Raise awareness of Nevada tourism offerings especially as they relate to key interests of Latin American audiences targeted in the campaign. This is measured through an increase in the number of product offerings by travel agent/tour operators and the amount of media coverage generated in top tier consumer and trade media.
- 2.4.7. Increase spending and lengthen hotel visitations among consumers in targeted markets so that Nevada becomes a high demand destination. This is measured through consumer engagement in promotions, trackable partnerships with tour operators, data collected from tourism economics data analysis from credit card purchases, among other resources.
- 2.4.8. During the contract period expand program tracking to include room nights booked from the offered itineraries.

3. SCOPE OF WORK

- 3.1. Awarded vendor must provide a solid foundation of all work through an annual Latin American market-specific strategic plan.
- 3.2. The plan should include measurable goals for the overarching program including sales, marketing, promotions and public relations and the tactical programs and activities that accomplish the goals.
 - 3.2.1. The plan also should include a market brief that provides the economic overview of the country as well as traveler demographics, market growth, competitor analysis and general issues regarding the Latin American travel market.
 - 3.2.2. As a regional marketing effort, the tactics outlined in the plan may pertain to specific target groups in particular geographical areas but may not be applicable for all audiences and all areas. The Division of Tourism will work with the awarded vendor to identify key markets, segmentation, and the outreach plan for each year.
- 3.3. Some of the activities undertaken by representative firms in other international markets have included: Coordinate and host in-market visits, including sales missions to the region by a State of Nevada tourism delegation (up to ten (10) persons) which may include state government elected officials.
- 3.4. The activities for each visit will be mutually agreed upon, but may include:
 - 3.4.1. Awarded vendor may be required to schedule travel trade appointments and media interviews/visits.
 - 3.4.2. Awarded vendor may be required to schedule meetings with the U.S. Commercial Services and Consulates.
 - 3.4.3. Awarded vendor may be required to develop special events that help showcase the Nevada tourism product.
 - 3.4.4. Awarded vendor may be required to organize and schedule media familiarization trip (FAM) which is a trip to Nevada by mutually agreed upon travel professionals (travel agencies, tour operators, airline partners). This may be a group trip or individual media visits.
 - 3.4.5. Awarded vendor may be required to secure media relations opportunities for the Division of Tourism staff to meet with local business and travel media.
 - 3.4.6. Awarded vendor may be required to schedule staff trainings for key travel agencies and tour operators.
- 3.5. Conduct sales outreach, including but not limited to:
 - 3.5.1. Awarded vendor will be required to establish a database of all organizations and key individuals that includes name, company address, email address, phone numbers and a record of all outreach. The awarded vendor will also be required to provide a record of the outreach on a quarterly basis.
 - 3.5.2. Awarded vendor will be required to contact on a regular basis, travel agencies, tour operators and airlines that sell the State of Nevada or have the potential to develop new product. They will be required to provide training sessions either in person or via the Internet that showcase Nevada's appeal to the Latin American market. They also will be required to maintain regular contact with agents, operators and partners already featuring the Nevada product.
 - 3.5.3. Awarded vendor will be required to organize and host tour operator familiarization (FAM trips to Nevada, or Nevada related tourism conferences. They also will be required to ensure all participants of the FAM trips are qualified travel professionals and are those who have the potential to sell the Nevada product beyond Las Vegas.
 - 3.5.4. Awarded vendor will be required to represent Nevada at mutually agreed-upon trade shows in key Latin American markets and other events, especially those hosted by the U.S. Commercial Services or Brand USA on behalf of the State of Nevada. They also will be required to develop the booth and other materials required for a brand compliant trade show presence.
 - 3.5.5. Awarded vendor will be required to work with receptive operators in Los Angeles, San Francisco and other western gateway cities to raise awareness of Nevada and its potential for Latin American travelers.
- 3.6. Conduct traditional and social media relations outreach. Ensuring that Nevada is covered by the Latin American travel and lifestyle media is a critical component of the marketing program. The media relations program will include:
 - 3.6.1. Awarded vendor will be required to develop a media list of travel trade, consumer travel and lifestyle media outlets and journalists including media outlet journalist's name, journalist's title, address, email address, phone number, and a log of the media coverage provided by the outlet. Top tier media will be identified for each key segment.
 - 3.6.2. Awarded vendor will be required to develop press kits (printed and electric, as needed) including Travel Nevada established branding.
 - 3.6.3. Awarded vendor will be required to provide ongoing outreach through press releases and other forms of communication that will keep Nevada at the top of journalists' minds. They also will be required to track outreach for inclusion in the quarterly media report.

- 3.6.4. Awarded vendor will be required to develop a media list of travel trade, consumer travel and lifestyle media outlets and journalists including media outlet journalist's name, journalist's title, address, email address, phone number, and a log of the media coverage provided by the outlet. Top tier media will be identified for each key segment.
- 3.6.5. Awarded vendor will be required to develop press kits (printed and electric, as needed) including Travel Nevada established branding.
- 3.6.6. Awarded vendor will be required to provide ongoing outreach through press releases and other forms of communication that will keep Nevada at the top of journalists' minds. They also will be required to track outreach for inclusion in the quarterly media report.
- 3.6.7. Awarded vendor will be required to coordinate and host Nevada press trips that bring high priority journalists to Nevada. They also will be required to work with airlines to negotiate complimentary or highly reduced airfares for the writers.
- 3.6.8. Awarded vendor will be required to develop Nevada-specific branding across all collateral. Consumer fulfillment will be done only as part of a mutually agreed upon appearance at a consumer travel show. During the duration of this contract needed collateral materials include:
 - A. Travel trade brochure(s),
 - B. General travel trade press kit – specific press releases and social media posts will be developed throughout the year and
 - C. General travel agent/tour operator training sessions and associated hand-outs.
- 3.6.9. Awarded vendor will be required to create and/or maintain a Travel Nevada website. All imagery, content, and licensing must be continually maintained to ensure no lapse of service. Awarded vendor must register Nevada Division of Tourism as the owner of Travel Nevada website. They also will be required to develop social media channels and drive positive conversations about Nevada tourism. The awarded vendor will be required to engage consumers and travel trade through the social media channels most appropriate to the audiences. They also will be required to actively post information, offers and ideas regarding travel to Nevada.
- 3.6.10. Awarded vendor will be required to produce quarterly reports summarizing activities towards agreed-upon goals and objectives. The quarterly reports should at a minimum include:
 - A. An overview of meetings and training sessions held with travel professionals,
 - B. Any press releases and other communications to media and key media coverage during the quarter, and
 - C. The results from FAM or press trips.

3.7. BILLING REQUIREMENTS

- 3.7.1. All service fees shall be billed on a monthly basis and include the associated activity and/or media value reports for the quarter being invoiced.
- 3.7.2. All media and marketing/promotions/sales call/FAM/trade show costs shall be billed on a monthly basis, after the month has ended and include the associated back-up for all costs including third-party charges, itineraries for any travel charges etc.
- 3.7.3. All non-annual service fee invoices must be provided with a USD dollar amount. The exchange rate used to calculate the final USD amount must be included in the back-up materials, in the form of a print-out from oanda.com or some other exchange rate website.
- 3.7.4. Follow the State's requirements for invoicing that includes:
 - A. Submit invoicing based on the schedule outlined in the contract,
 - B. Provide invoice back-up including full tracking of all expenses against yearly budget total, back-up (translated into English) showing exact accountability for all expenses, conversion of all expenses in dollars USD,
 - C. Payment for fees and expenses will be made upon completion of the invoicing time period (no expenses will be pre-paid), and
 - D. Awarded vendor must be able to manage the account finances without the need for additional expenses to the State to travel for banking transactions. If this cannot be accomplished at the proposed banking environment must be identified in the proposal. The State of Nevada is not able to provide payment via wire transfer, all payments will be issued by mail via check.

3.8. PROGRAM DELIVERABLES – GENERAL ADMINISTRATION

- 3.8.1. Awarded vendor will be required to develop an annual strategic plan per Travel Nevada's pre-directed priorities outlined in Travel Nevada's strategic plan.

- 3.8.2. Awarded vendor will develop an annual market brief that provides an overview of the travel market including strengths weaknesses, opportunities, threats, key priorities, efforts by other U.S. organizations such as Brand USA and the U.S. Commercial Services.
- 3.8.3. Awarded vendor will provide a monthly invoice that includes:
 - A. A cover sheet outlining all fees and expenses,
 - B. Year-to-date spreadsheet that tracks fees and expenses against total funding; and
 - C. Back-up for all receipts and out-of-pocket expenses (translated into English) showing exact accountability for all requested funds.
- 3.8.4. Awarded vendor will provide a quarterly report demonstrating return on investment (ROI) on all program efforts,
- 3.8.5. Awarded vendor will develop an agency contact sheet that provides full contact information for each member of the Nevada tourism team and will be required to update any changes as they occur.
- 3.8.6. Awarded vendor may be asked to plan one (1) visit to Nevada per year for press or FAM trips or Nevada related tourism conferences.
- 3.9. PROGRAM TASKS, ACTIVITIES AND DELIVERABLES – PUBLIC RELATIONS
- 3.9.1. Awarded vendor will develop an annual media relations program for inclusion in the overall strategic plan, including developing, maintaining and enhancing relationships with the consumer and travel trade press (print, broadcast, digital and social media) and strategies for ongoing outreach to the media.
- 3.9.2. Developing media relationships: This includes personnel fees and expenses including meals venue costs and transportation for hosting media for events in Latin American markets. Neither the Division of Tourism nor its contractors can use state budgeted funds for alcohol. Should this be needed as part of an event, funding will need to come from a third-party source.
- 3.9.3. Database program is necessary to research and manage media.
- 3.9.4. Press release distribution services and email distribution services.
- 3.9.5. Awarded vendor will collect clips of articles produced on behalf of the Division of Tourism and provide a PR Value Report, due quarterly (on or close to October 1, January 1, April 1 and July 1 of each year of the contract). The report template will be provided to the awarded vendor by the Division of Tourism.
- 3.9.6. The use/cost of clipping service if used by the contracted vendor is the responsibility of the contracted vendor.
- 3.9.7. Awarded vendor will curate an assets library specific to the Latin American market that includes:
 - A. General press release about Nevada that will appeal to the Latin American traveler,
 - B. Fact sheet about traveling to Nevada,
 - C. Press releases, as needed, about upcoming Nevada events and activities that appeal to the Latin American traveler. Awarded vendor and/or Nevada Division of Tourism may create with translation provided by the awarded vendor if needed, and
 - D. Images of activities that appeal to the specific markets (accessible through the Division's Data Asset Management System).
- 3.9.8. Awarded vendor will develop and execute a proactive and measurable social media plan utilizing the most widely used social media platforms in the target market to ensure Nevada is driving and participating in conversation about travel to the U.S. and its niche markets of outdoor adventure and road trips.
- 3.9.9. Track all appropriate and agreed-upon conversation about Nevada tourism.
- 3.9.10. Provide a monthly "red flag" report that shows the negative comments and responses posted for each.
- 3.9.11. All post must be pre-approved based on a pre-scheduled social media plan.
- 3.9.12. Awarded vendor will coordinate and execute all aspects of consumer and travel trade press trips to Nevada, solicit qualified journalists to visit Nevada and negotiate with the airlines to obtain complimentary or discounted tickets for participating journalists. They will work with the Public Relations team and the Division of Tourism to develop the itinerary and coordinate the trip. Press trips may be group trips or individual writers, depending on the market and the awarded vendor's recommendation.
- 3.9.13. Airfare, ground transportation and other hosting expenses for FAM trips may be paid by the Division of Tourism. The awarded vendor will pay costs associated with traveling to Nevada to participate in a FAM and any other expenses not covered by the general FAM (for example, meals or personal travel that is not part of the general FAM). If a member of the media travels independently in the State of Nevada on a Travel Nevada sponsored FAM trip, any reimbursement

due to the media will be reimbursed by the awarded vendor (for example, if the media rents a car in Nevada, reimbursement for the rental car would be paid by the awarded vendor).

- 3.9.14. Personal expenses incurred by the awarded vendor's representative attending the FAM, such as meals outside of the planned itinerary or supplies that have not been pre-approved will not be reimbursed by the Division of Tourism.
- 3.9.15. Awarded vendor will coordinate Nevada's participation in select media events sponsored by organizations such as U.S. Commercial Services, Brand USA, Visit USA or other applicable organizations. Awarded vendor may be required to represent Nevada in the agreed-upon events.
- 3.9.16. Awarded vendor may be asked to produce one (1) sales/media mission in Latin America per year. This can be in conjunction with trade shows or other established programs, however, should include an opportunity for interviews and other events specifically designed to interact with the media.
- 3.9.17. Expenses incurred in planning and executing media missions or events will be paid by the awarded vendor and reimbursed by the Division of Tourism above and beyond the awarded vendor's annual service fee. Note: neither the State of Nevada nor its awarded vendors may pay for alcohol. Any alcohol must be provided by a third-party company or organization.
- 3.9.18. The awarded vendor will ensure all communication outreach integrates with the Sales efforts, incorporating Nevada brand attributes and experiences as identified by the Division of Tourism.

3.10. PROGRAM TASKS, ACTIVITIES AND DELIVERABLES – SALES

- 3.10.1. Awarded vendor will develop an annual sales and travel trade outreach plan which will be included in the overall strategic plan that includes outreach to travel trade professionals in Latin America and potentially those that serve the Latin American travel market in the U.S.
- 3.10.2. Awarded vendor will develop a database of travel agents, wholesalers, airline partners and other influencers, track outreach to each and their participation in Nevada events and activities. Awarded vendor will update contacts in Travel Nevada main database on a quarterly basis.
- 3.10.3. Awarded vendor will develop general collateral materials such as sales sheets, itinerary overviews, banners for use at trade shows. All materials must be approved by the Division of Tourism prior to completion.
- 3.10.4. Awarded vendor as needed will plan, coordinate and host one (1) Nevada sales mission per year which will be in conjunction with the mission noted in *Section 3.9 Public Relations*. Date(s) and location(s) of the sales/PR mission will be determined by the Division of Tourism based on the recommendation of the awarded vendor. Sales missions will include Nevada partner organizations; all travel lodging and general expenses for the partners will be paid by the partners. Sales mission will include, but not be limited to:
 - A. Meetings with high priority travel professionals who sell leisure, business and MICE trips to the U.S. MICE trips are meetings, incentives, conferencing and exhibitions trips.
 - B. Events such as luncheons, dinners and receptions that provide all sales mission participants the opportunity to connect with Latin American travel professionals.
- 3.10.5. Awarded vendor will track leads gained through sales missions and other events that can be distributed to the Nevada tourism industry. Awarded vendor will provide leads to the Division of Tourism within one (1) week of the mission. All data collected must follow General Data Protection Restrictions mandates.
- 3.10.6. Awarded vendor will ensure all communication outreach integrates with the Sales efforts, incorporating Nevada brand attributes and experiences as identified by the Division of Tourism.
- 3.10.7. Awarded vendor will coordinate and execute all aspects of travel trade press trips to Nevada, solicit qualified tour operators/wholesalers to visit Nevada and negotiate with the airlines to obtain complimentary or discounted tickets for participating journalists. Awarded vendor will work with the Sales team at the Division of Tourism to develop the itinerary and coordinate the trip. Travel trade trips may be group trips or individual operators, depending on the market and the vendor's recommendations.
- 3.10.8. Airfare, ground transportation and other hosting expenses for FAM trips may be paid by the Division of Tourism. Awarded vendor will pay costs associated with traveling to Nevada to participate in a FAM and any other expenses not covered by the general FAM such as meals or personal travel that is not part of the general FAM. If a member of the travel trade travels independently in the State of Nevada on a Travel Nevada-sponsored FAM trip any reimbursement due to the travel trade will be reimbursed by the awarded vendor. For example, if the media rents a car in Nevada, reimbursement for the car would be paid by the awarded vendor.
- 3.10.9. Personal expenses incurred by the awarded vendor's representative attending the FAM, such as meals outside of the planned itinerary or supplies that have not been pre-approved, will not be reimbursed by the Division of Tourism.

4. ATTACHMENTS

4.1. INCORPORATED ATTACHMENTS. To be read and not returned.

- 4.1.1. Terms and Conditions for Services
- 4.1.2. Contract Form
- 4.1.3. Insurance Schedule
- 4.1.4. Federal Laws and Authorities

4.2. PROPOSAL ATTACHMENTS. To be completed and returned.

- 4.2.1. Vendor Information Response
- 4.2.2. Proposed Staff Resume
- 4.2.3. Reference Questionnaire
- 4.2.4. Confidentiality and Certification of Indemnification
- 4.2.5. Vendor Certifications
- 4.2.6. Cost Schedule

5. PROPOSAL TIMELINE

5.1. All questions regarding this RFP shall be submitted using the Bid Q&A feature in NevadaEPro by the deadline below.

5.2. The following represents the proposed timeline for this project.

- 5.2.1. All times stated are Pacific Time (PT).
- 5.2.2. These dates represent a tentative schedule of events.
- 5.2.3. The State reserves the right to modify these dates at any time.

A. Deadline for Questions.....	No later than 5:00 pm on 06/22/2021
B. Answers Posted.....	On or about 06/28/2021
C. Deadline for References.....	No later than 5:00 pm on 07/06/2021
D. Deadline Proposal Submission and Opening.....	No later than 2:00 pm on 07/07/2021
E. Evaluation Period.....	07/07/2021 – 07/13/2021
F. Vendor Presentations.....	07/26/2021-07/27/2021
G. Selection of a Vendor	On or about 07/28/2021
H. BOE Approval.....	09/14/2021
I. Contract start date	09/15/2021

6. PROPOSAL EVALUATION PROCESS

6.1. Proposal evaluation and scoring is conducted in accordance with NRS 333.335 and NAC 333.160-333.165.

- 6.1.1. Proposals shall be kept confidential until a contract is awarded.
- 6.1.2. In the event the RFP is withdrawn prior to award, proposals remain confidential.
- 6.1.3. The evaluation committee is an independent committee established to evaluate and score proposals submitted in response to the RFP.
- 6.1.4. Financial stability shall be scored on a pass/fail basis.
- 6.1.5. Proposals shall be consistently evaluated and scored based upon the following factors and relative weights.

A. Demonstrated Competence.....	30
B. Experience in Performance of Comparable Engagements.....	30
C. Conformance with the Terms of this RFP.....	10
D. Expertise and Availability of Key Personnel.....	20
E. Cost Factor.....	10
F. Presentation: Did the presenting vendor prove its expertise in delivering an integrated marketing program that will boost awareness of an existing brand and influence travel behavior with the Latin America travel professional, government and media market?.....	30
G. Presentation: Did the presenting vendor prove its skill I strategic planning?.....	20
H. Presentation: Did the presenting vendor adequately convey its commitment to gaining an in-depth knowledge of the Nevada tourism product?.....	20
I. Presentation: Did the presenting vendor provide the appropriate staffing level for both senior account strategy and day-to-day management?.....	10
J. Presentation: How well did the presenting vendor address evaluators' concerns?.....	10
K. Presentation: Did the presenting vendor show enthusiasm for Nevada tourism and a high level of commitment to working with the team and the product?.....	10

6.1.6. Cost proposals will be evaluated based on the following formula.

A. $\text{Cost Factor Weight} \times (\text{Lowest Cost Submitted by a Vendor} / \text{Proposer Total Cost}) = \text{Cost Score}$

6.1.7. Presentations

- A. Following the evaluation and scoring process specified above, the State will require vendors to make a presentation of their proposal to the evaluation committee or other State staff, as applicable.
- B. The State, at its option, may limit participation in vendor presentations to the top three (3) highest scoring vendors from technical and cost scores.
- C. Following the presentations, the combined technical, cost, and presentation scores will become the final score for a proposal.
- D. The State reserves the right to add additional criteria or presentations.
- E. The State reserves the right to forego vendor presentations and select vendor(s) based on the written proposals submitted.

6.2. The State awards a five percent (5%) preference to Nevada-based businesses, pursuant to NRS 333.3354.

6.2.1. Nevada-Based business is defined in NRS 333.3352(1).

6.2.2. The term 'principal place of business' has the meaning outlined by the United States Supreme Court in *Hertz Corp v. Friend*, 559 U.S. 77 (2010), typically meaning a company's corporate headquarters.

6.2.3. To claim this preference a vendor must indicate it on their vendor account and submitted Quote in NevadaEPro.

6.2.4. This preference cannot be combined with any other preference, granted for the award of a contract using federal funds, or granted for the award of a contract procured on a multi-state basis.

7. MANDATORY MINIMUM REQUIREMENTS

7.1. Pursuant to NRS 333.311 a contract cannot be awarded to a proposal that does not comply with the requirements listed in this section.

7.2. Confirm vendor agrees to comply with required contract terms on Indemnification: "To the fullest extent permitted by law Contractor shall indemnify, hold harmless and defend, not excluding the State's right to participate, the State from and against all liability, claims, actions, damages, losses, and expenses, including without limitation, reasonable attorneys' fees and costs, arising out of any alleged negligent or willing acts or omissions of Contractor, its officers, employees and agents."

7.3. Confirm vendor agrees to comply with required contract terms on Limited Liability: "The State will not waive and intends to assert available NRS chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. Liquidated damages shall not apply unless otherwise specified in the incorporated contract attachments. Damages for any State breach shall never exceed the amount of funds appropriated for payment under this Contract, but not yet paid to Contractor, for the fiscal year budget in existence at the time of the breach. Damages for

any Contractor breach shall not exceed one hundred and fifty percent (150%) of the contract maximum "not to exceed" value. Contractor's tort liability shall not be limited."

- 7.4. The awarded vendor shall be the sole point of contract responsibility. The State shall look solely to the awarded vendor for the performance of all contractual obligations which may result from an award based on this RFP, and the awarded vendor shall not be relieved for the non-performance of any or all subcontractors.
- 7.5. Confirm vendor will comply with State IT requirement that data be encrypted in transit and in rest.
- 7.6. Confirm vendor will comply with State IT requirement that State data assets must be maintained stateside and data will not be held offshore.
- 7.7. Each vendor shall include in its proposal a complete disclosure of any alleged significant prior or ongoing contract failures, contract breaches, any civil or criminal litigation or investigations pending which involves the vendor or in which the vendor has been judged guilty or liable.
- 7.8. Vendor will complete *Vendor Information Response* form and include in their proposal.

8. CRITICAL ITEMS

- 8.1. In addition to the *Scope of Work* and *Attachments*, the items listed in this section are critical to the success of the project. These items will be used in evaluating and scoring the proposal. Vendor proposal should address items in this section in enough detail to provide evaluators an accurate understanding of vendor capabilities. Proposals that fail to sufficiently respond to these items may be considered non-responsive.
- 8.2. CONTRACT FORM. The State strongly prefers vendors agree to the terms of the attached *Contract Form* as is. Ability to agree to contract terms is a high priority to the State. Vendors who cannot agree to the contract as is must include a redlined Word version of the attached *Contract Form* with their proposal response.
- 8.3. INSURANCE SCHEDULE. Confirm vendor will comply with attached *Insurance Schedule*. If not, please explain which areas are causing non-compliance and attach a red line if necessary.
 - 8.3.1. Awarded vendor shall maintain, for the duration of the contract, insurance coverages as set forth in the fully executed contract.
 - 8.3.2. Work on the contract shall not begin until after the awarded vendor has submitted acceptable evidence of the required insurance coverages.
 - 8.3.3. Failure to maintain any required insurance coverage or acceptable alternative method of insurance shall be deemed a breach of contract.
- 8.4. VENDOR BACKGROUND
 - 8.4.1. Company background/history and why vendor is qualified to provide the services described in this RFP.
 - 8.4.2. Provide a brief description of the length of time vendor has been providing services described in this RFP to the public and/or private sector.
- 8.5. VENDOR STAFF RESUMES
 - 8.5.1. A resume shall be included for each proposed key personnel, see *Proposed Staff Resume*.
 - 8.5.2. A resume shall also be included for any proposed key subcontractor personnel.
- 8.6. SUBCONTRACTORS
 - 8.6.1. Subcontractors are defined as a third party, not directly employed by the contractor, who shall provide services identified in this RFP. This does not include third parties who provide support or incidental services to the contractor.
 - 8.6.2. Proposal should include a completed *Vendor Information Response* form for each subcontractor.
 - 8.6.3. Vendor shall not allow any subcontractor to commence work until all insurance required of the subcontractor is provided to the vendor.
 - 8.6.4. Vendor proposal shall identify specific requirements of the project for which each subcontractor shall perform services.

- A. How the work of any subcontractor(s) shall be supervised;
- B. How channels of communication shall be maintained;
- C. How compliance with contracts terms and conditions will be assured; and
- D. Previous experience with subcontractor(s).

8.7. VENDOR FINANCIAL INFORMATION

- 8.7.1. The information requested in this section is designated as confidential business information by the Administrator pursuant to NRS 333.020(5(b) and is not public information pursuant to NRS 333.333.
- 8.7.2. This information should be submitted as a separate attachment, flagged as confidential in NevadaEPro.
- 8.7.3. Proposing vendor shall provide the following financial information and documentation:
 - A. Dun and Bradstreet Number
 - B. Federal Tax Identification Number
 - C. The last two (2) full years and current year interim:
 - 1. Profit and Loss Statements
 - 2. Balance Statements

8.8. BUSINESS REFERENCES

- 8.8.1. The information requested in this section is designated as confidential business information by the Administrator pursuant to NRS 333.020(5(b) and is not public information pursuant to NRS 333.333.
- 8.8.2. Vendors shall provide a minimum of three (3) business references from similar projects performed for private and/or public sector clients within the last five (5) years, see *Reference Questionnaire*.
- 8.8.3. The purpose of these references is to document relevant experience and aid in the evaluation process.
- 8.8.4. Business references should return *Reference Questionnaire* directly to Single Point of Contact via email.
- 8.8.5. Business references will not be accepted directly from proposing vendor.
- 8.8.6. The State will not disclose submitted references, but will confirm if a reference has been received.
- 8.8.7. The State reserves the right to contact references during evaluation.

9. SUBMISSION CHECKLIST

- 9.1. This section identifies documents that shall be submitted to be considered responsive. Vendors are encouraged to review all RFP requirements to ensure all requested information is included in their response.
 - 9.1.1. Proposals must be submitted as a Quote through NevadaEPro, <https://NevadaEPro.com>.
 - 9.1.2. Vendors are encouraged to submit a single file attachment per proposal section if possible.
 - 9.1.3. Technical proposal information and Cost proposal information shall not be included in the same attachment.
 - 9.1.4. Additional attachments may be included if necessary, but are discouraged and should be kept to a minimum.
 - 9.1.5. Files name format should be 'VendorName-SectionTitle.*'

9.2. TECHNICAL PROPOSAL

- A. Title Page
- B. Table of Contents
- C. Response to Mandatory Minimum Requirements
- D. Response to Critical Items
- E. Response to Scope of Work
- F. Proposed Staff Resumes
- G. Other Informational Material

9.3. PROPRIETARY INFORMATION. If necessary. Attachment can be flagged confidential in NevadaEPro.

- A. Title Page
- B. Table of Contents
- C. Trade Secret information, cross referenced to the technical proposal

- 9.4. COST PROPOSAL
- 9.5. VENDOR FINANCIAL INFORMATION. Attachment can be flagged confidential in NevadaEPro.
- 9.6. SIGNED ATTACHMENTS
 - A. Vendor Information Response
 - B. Confidentiality and Certification of Indemnification
 - C. Certification Regarding Lobbying
- 9.7. OTHER ATTACHMENTS. If necessary, not recommended.
- 9.8. REFERENCE QUESTIONNAIRES. Not submitted directly by vendor.