

**IT Professional Technical Services
Master Contract Statement of Work
Staff Augmentation for Technology Services**

**Project Title: MNLARS Project
Project Skill Category:**

Project Manager

**Issued By
Minnesota Department of Public Safety
Office of Technology & Support Services (OTSS) and Driver and Vehicle Services (DVS)**

Project Overview

Through this Statement of Work (SOW), the Minnesota Department of Public Safety (DPS) is in need of an individual to provide the Minnesota License and Registration System (MNLARS) project with staff augmentation for the following skill set:

- Project Manager – Business and Data Analysis (staff augmentation position)

The project manager selected from this IT Professional Technical Services Master Contract staff augmentation process will primarily work on project management tasks, related to business and data analysis. He/she will work with the MNLARS technical staff and will lead/support the analysis and definition of business processes, complete systems functional analysis, business process and data modeling, determine options and develop and make recommendations for solutions. Responsibilities of this Project Manager position will also include solutions analysis and functional specifications, project plan development, leadership and management, technical documentation, system functionality reviews with business division stakeholders and application end users, functional testing, implementation and post-implementation support.

The scope of this work for the MNLARS project encompasses the update, redesign and implementation of the Minnesota Driver's License and Motor Vehicle Registration computing systems. This work will include, but is not limited to, all associated Driver and Vehicle Systems, including any associated subsystems.

The Project Manager, staff augmentation position outlined here is needed to assist MNLARS project staff for the associated efforts to optimize and/or reengineer processes and implement the updated requirements for an electronic-based group/family of applications required to perform the increased number of automated functions mandated by federal and state legislation. The individual selected through this Statement of Work process is required to work on site at the department's office located at 444 Cedar Street, Suite 200, St. Paul, Minnesota, for security reasons.

Goal

The goal of the Minnesota Licensing and Registration System (MNLARS) project is to improve system operability, stability, record keeping, security, and customer service for the Minnesota driver's license and motor vehicle registration systems.

Outcomes included in this MNLARS project work will be:

- Updating interfaces with other state and federal entities, DVS remote locations, subcontractors, law enforcement and the public
- Improving and updating methods of operation when necessary
- Adding additional data to current driver's license and motor vehicle records that will be able to be recorded and retrieved electronically upon demand

The results of these systems operations will be the federally mandated automatic electronic operation of driver's license and motor vehicle record checks for all official DVS sites, and the transmission of data to and from law enforcement, federal agencies, and other states. These functions must be able to be performed in an electronic manner and be verifiable and updated, as required by state and federal legislation.

The contractors' staff (contractor) selected and assigned by the MNLARS Project Director for this project will augment existing MNLARS staff that is assigned, and consult on MNLARS projects as directed.

The contractor will interface with the MNLARS staff to work on integrated projects to make modifications and enhancements to existing DVS systems and implement new DVS systems that conform to the overall MNLARS goals. The MNLARS architecture will be consistent with the State of Minnesota Enterprise Technical Architecture available on website: [http://www.state.mn.us/mn/externalDocs/OET/Enterprise_Technical_Architecture_202_091206012420_EWTA%20%2002%20\(2\).pdf](http://www.state.mn.us/mn/externalDocs/OET/Enterprise_Technical_Architecture_202_091206012420_EWTA%20%2002%20(2).pdf), the Minnesota Department of Public Safety's Security Architecture, attached to this SOW.

The individual selected for this project must first pass a full criminal background check, including fingerprints, conducted by the Bureau of Criminal Apprehension (BCA), and DPS reserves the right to decline any contractor's staff accordingly. Qualified individuals selected from this SOW process by the MNLARS project team will be required to complete and submit the Background Investigation forms to DPS within a designated time period; DPS will provide the Background Investigation forms to the individual should the individual be selected by the MNLARS project team, to advance in the selection process.

Background

1. Overview of DVS programs, functions and systems

The DVS driver's license and motor vehicle system is a mission-critical enterprise system that maintains driver's license and motor vehicle data. The system supports the collection of over \$1 billion annually of fees and taxes related to driver's license and motor vehicle transactions.

The system currently has approximately 36,000 online users that include:

- 174 appointed motor vehicle agencies
- 193 driver's license agents
- 3,924 licensed motor vehicle dealers

Other users include law enforcement agencies, citizens, courts, lending institutions and insurance companies.

- 33,000+ electronic inquiries from law enforcement per day
- 1,000+ self-service, online registration renewals per day

DVS currently delivers the following services annually:

- 1,400,000 Vehicle Titles issued
- 4,400,000 Vehicle Registrations processed
- 1,064,048 License Plates issued
- 6,400,000 Vehicle Records
- 1,047,000 Telephone Calls
- 1,690,000 Driver's Licenses, ID Cards & Permits issued
- 100,000 Driver Compliance Interviews
- 624,000 Driver Exam Tests
- 450,000 Citations issued
- 78,000 Crash Records tracked
- 230,000 Driver's License Withdrawals
- 4,000,000 Driver Records
- 4,000 Dealer Records
- 244,000 Commercial Driver's Licenses issued
- 173,000 Driver Compliance contacts

Current legacy systems and business processes used to support the DVS programs are over 20 years old and are based on 20-year-old business processes and technology. They have serious, fundamental issues with system operability, stability, security, and customer service. MNLARS will replace these outmoded systems and processes by providing an up-to-date, user-responsive, re-engineered/optimized set of business processes and the systems that support them.

Motor vehicle and driver's license data is stored in a SUPRA database on an IBM S390 mainframe. DVS staff utilizes CICS screens for data. COBOL programmers create all reports and ad-hoc queries. The SUPRA database does not have any open database access, such as ODBC. Some small applications, utilizing 3270 screen scraping (VHI), were written for the operators providing telephone support to the public. Other personal computer applications were written to work on datasets extracted and downloaded from the mainframe.

In addition, the driver and motor vehicle legacy information systems represent not only very large amounts of data but also over 25 years of business logic coded into CICS and batch processes.

In 2001, DVS introduced ESupport that uses screen scraping (VHI) of green screens and applications built in classic ASP, .NET and C++. The data is stored in a SQL Server.

2. Functional Areas of DVS

DVS provides functionality in the following areas:

- Driver Compliance
- Accountable Items Inventory
- Special Plates
- Driver Evaluation
- Impound Plates
- Dealer Licensing
- Third Party Testing
- Information Coordination
- Customer Contact, Records
- Deputy Registrar Administration
- Motor Vehicle Title and Registration
- Driver's License Issuance
- Vehicle Fraud Prevention and Vehicle Inspection
- Driver Examining
- Financial and Funds Management

3. Areas of opportunities identified for business process optimization / re-engineering:

- Information entry
- Creation of DVS records
- Reduced paper-dependent processes
- NSF Check Entry
- System integration
- One applicant, one record validation
- Staff training/specific and cross-training
- General information repository

- Method in which files are sent to card vendor
- Interface with Court systems
- Customer and partner methods of communication
- Weight stickers
- Management of driver's license and vehicle transactions for Minnesota residents temporarily out-of-state.
- Driver's license variances
- CDL (Commercial Driver's License) waivers and background checks
- Mail registration process
- Conditional registrations/Title possession requirement
- Document scanning
- Customer service options
- Agent reporting methods
- Options for registration card issuance
- Law enforcement notification of vehicle forfeitures
- Title numbering
- Options for notice of vehicle sale
- Management of manufactured home ownership records
- Method of multiple vehicle registration renewal notification
- Ownership transfer/plate disposition
- Motor vehicle temporary permits
- Duplicate titles and transfers of older vehicles
- Disability forms
- Document veracity
- Information sharing with other agencies
- Revenue audit trail
- Data security/roles and audits
- Management of correspondence and enclosures

4. DVS Data Dependencies including, but not limited to:

- Electronic Interfaces to external business partners
- American Association of Motor Vehicle Administrators (AAMVA)
- Card (ID, License) production vendor, currently L1 Identity Solutions
- Courts: From the courts MNCIS, TCIS, VIBES; To the courts e.g. request for more person information, error reports
- Minnesota Management and Budget (MMB)
- Minnesota Department of Health's Birth, Death Records
- Minnesota Department of Human Services (DHS): administration of payments
- Minnesota Department of Human Services Child Support, e.g. license suspension
- Minnesota Department of Natural Resources (DNR), e.g. firearm, snowmobile license

- Minnesota Department of Revenue
- Deputy Registrars for audit and financial reports
- Medical community, e.g. online medical information form
- Driver's License Agents for financial reports
- Electronic vehicle title and registration
- U.S. Department of Homeland Security, e.g. Status checks
- Immigration and Customs Enforcement (ICE)
- Law Enforcement Agencies
- MINNCOR for plate production
- Minnesota Accounting and Procurement System (MAPS)
- Minnesota Auto Dealers Association (MADA)
- Minnesota Collection Enterprise (MCE)
- Motor Carrier Management Information System (MCMIS) to provide the federal system with motor carrier name, address, etc.
- Motor vehicle dealers
- National Motor Vehicle Title Information System (NMVTIS)
- Office of Enterprise Technology systems for printing
- Other States/Jurisdictions
- Plate vendor, currently 3M
- RL POLK, e.g. for motor vehicle base values
- Social Security Administration (SSA) for SSN verification
- Minnesota State Patrol, e.g. Crash data
- National Insurance Crime Bureau (NICB)
- Electronic interfaces to Internal DPS systems
- Bureau for Criminal Apprehension (BCA) systems/databases
- Office of Traffic Safety (OTS) systems/databases
- Prorate System, currently Explore Information Services
- Public Information Center's voice recognition system (IVR)
- Public Information Center's Computer Telephony Integration (CTI) to provide screens that are automatically displayed for the phone agent, based on the customer selection and customer ID number

Overview of MNLARS staff augmentation position's role, responsibilities and tasks assigned for the one position is as follows:

- Project Manager – Business and Data Analysis

The project manager selected from this IT Professional Technical Services Master Contract staff augmentation process will primarily work on project management tasks, related to business and data analysis. He/she will work with the MNLARS technical staff and will lead/support the analysis and definition of business processes, complete systems functional analysis, perform business process and data modeling, determine options and develop and make recommendations for solutions. Responsibilities of the position will also include solutions analysis and functional specifications, project plan development, leadership and management, technical documentation, system functionality reviews with business division

stakeholders and application end users, functional testing, implementation and post-implementation support.

Tasks/Deliverables to be provided by the Contractor will include but are not limited to the following:

- The MNLARS project has a Project Plan and will follow best practices for each type of work effort. Deliverables for the one MNLARS staff augmentation position include but will not be limited to:

The Project Manager - (Business and Data Analysis position) will:

- Create, manage, maintain and report the status of project schedules, dependencies, resource allocations and accomplishments to the MNLARS Project Director
- Create business artifacts using official MNLARS documentation standards
- Assist in identifying and addressing issues and resolutions, communication needs and other project management best practices
- Work with MNLARS Project Director, MNLARS IT staff and MNLARS business managers to identify options, risks, dependencies, and schedules
- Manage the schedule of deliverables, review them and report about them on a scheduled basis
- Identify issues related to MNLARS business end user support
- Analyze and aid in resolving potential integration problems and assist MNLARS with resolution of technology issues
- Work with MNLARS identified system architects, other project managers, database developers and business representatives and other department stakeholders to develop and manage requirements in order to identify and resolve gaps in plans and schedules
- Participate in development and status meetings as necessary and requested by MNLARS
- Write and execute test cases for changes or existing functionality, as needed and requested by MNLARS staff
- Provide regular status updates to the MNLARS Project Director
- Document in detail current DVS business processes and define functional requirements as needed and requested by MNLARS project director/management
- Document existing functionality and data processes with proficient modeling where such documentation does not exist, as needed and requested for the MNLARS project
- Be proactive and propose solutions to DPS technical team as needed and within the scope of the project

- Use Root Cause Analysis to discover and correct any operating anomalies in program code
- Use qualified test methods and justify the adoption and usage of such test methods to MNLARS and DPS management
- Perform other duties assigned consistent with the MNLARS project

The individual selected for this project will work closely with MNLARS technical staff and other Department of Public Safety personnel.

All aspects of this work must be provided in compliance with the Minnesota Department of Public Safety's Security Architecture, attached to this Statement of Work, and all contract deliverables must be in compliance with the State of Minnesota Technical Architecture available on website

[http://www.state.mn.us/mn/externalDocs/OET/Enterprise_Technical_Architecture_202_09120_6012420_EWTA%202%2002%20\(2\).pdf](http://www.state.mn.us/mn/externalDocs/OET/Enterprise_Technical_Architecture_202_09120_6012420_EWTA%202%2002%20(2).pdf) .

This Statement of Work does not obligate the state to award a contract or complete work on the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Questions

Questions regarding this Statement of Work should be emailed directly to Patrick Obele at the e-mail address provided below. **Reference “Project Manager – Business and Data Analysis” Statement of Work in the subject title.**

Name: Patrick Obele
E-mail Address : MNLARS.RFP@state.mn.us

All questions should be received by Patrick Obele no later than 2:00 p.m. Central Daylight Time (CDT) on June 14, 2010. Questions received after this time may not receive responses. Questions and answers are anticipated to be posted on the Office of Enterprise Technology's website by the end of the business day on June 16, 2010 (www.oet.state.mn.us).

Other personnel are **NOT authorized** to discuss this SOW with responders, before the proposal submission deadline. Contact regarding this Statement of Work with any personnel not listed above could result in disqualification.

Response Requirements

Three unbound copies of the technical proposal, all of which are suitable for photocopying are required; along with a separate and sealed cost proposal.

A technical proposal is required for the **position** applied for, and consists of three copies of the following:

- A one page overview which states the position applied for, the person's name and detail regarding the person's qualifications and experience to perform the work.; one copy must be signed in ink by an authorized representative of the company submitting the proposal
- The individual's resume, with a page including three references attached

A cost proposal is required which states the hourly rate for each individual(s) submitted within the proposal response, signed by an authorized officer of the respondent's company, and at least one cost proposal must be signed in ink. **The cost proposal is to be sealed in a separate envelope labeled "Cost Proposal" and included with the proposal.**

There must be complete data for the vendor submitting the proposal response, including the name, address, telephone number of the company, and e-mail address of the authorized person in the company, who can be contacted for questions or interviews.

The technical portions of respondent's proposal (overview, resume and references for each person) must also be provided in electronic submission on a Microsoft Windows readable CD-ROM media and in an Adobe Acrobat PDF or Microsoft Word (version 2002, 2003 or 2007 compatible) format.

Late submissions will not be considered. All costs incurred in responding to this Statement of Work will be borne by the responder. Facsimile transmissions will not be evaluated, and e-mail responses will not be evaluated alone without signed original hardcopy of the respondent's technical proposal and cost proposal. Prices and terms of the proposal as stated must be valid for the length of the contract work order. Proposals to the OTSS office must be received by Patrick Obele by the date and time indicated below.

Through this Statement of Work, OTSS is searching for one individual to work with DPS staff on site at the department's central office located at 444 Cedar Street, St. Paul, Minnesota.

Proposals must be received by Patrick Obele no later than 2:00 p.m. Central Daylight Time (CDT) on Monday, June 21, 2010 at the following location address:

Patrick Obele
 MN Department of Public Safety/MNLARS
 444 Cedar Street, Suite 200
 St. Paul, MN 55101-5140

It is anticipated that the evaluation of the responses to the Statement of Work, pre-qualification selection of individuals for the staff augmentation position, and interview process will be conducted on June 22, 2010 through July 2, 2010. The successful respondent will be notified via e-mail.

Proposal Content

The following will be considered minimum required contents of the proposal. For each candidate, a separate Experience, Resume and Reference section must be submitted for each candidate that is applying for the staff augmentation position. Proposal sections must be in the following order.

1. **Experience:** An overview which states the position applied for, the person's name and details regarding the person's qualifications and experience to perform the work. This section is not to exceed one page.

2. **Resume:** The candidate's resume. This section is not to exceed three pages.
3. **References:** Provide three references for each candidate submitted; for projects of similar scope and size, including contact person's name, phone, and address. If the candidate is selected as a finalist, the State may choose to contact these references without prior notice to the vendor or candidate.
4. **Skills Matrix:** [See Attachment 2](#). Enter information regarding the candidates' demonstrable experience into the 'Years of Experience' and 'Paste supporting reference from resume' cells. This information must be supported in the candidates' resume.

Respondents must also complete, sign and provide the following documents with their proposal:

- Affirmative Action Certificate of Compliance (if over \$100,000)
<http://www.mmd.admin.state.mn.us/doc/affaction.doc>
- Affidavit of non-collusion
<http://www.mmd.admin.state.mn.us/doc/noncollusion.doc>
- Immigration Status Certification (if over \$50,000)
<http://www.mmd.admin.state.mn.us/doc/immstatcert.doc>
- Location of Service Disclosure
<http://www.mmd.admin.state.mn.us/Doc/ForeignOutsourcingDisclosureCertification.doc>
- Certification Regarding Lobbying
<http://www.mmd.admin.state.mn.us/doc/lobbying.doc>
- Veteran-Owned/Service Disabled Veteran-Owned Preference Form (if applicable)
<http://www.mmd.admin.state.mn.us/doc/vetpref.doc>
- **Signed written cost proposal is required and is to be sealed in a separate envelope labeled "Cost Proposal" and included with your written technical proposal for this project.**

Project Manager – (Business and Data Analysis)

Minimum Qualifications:

- Ten or more years experience with complex projects involving mainframe and distributed applications
- Ten or more years experience as an IT project manager in a public sector organization
- Five or more years experience in business process redesign-associated projects
- Three or more years experience with Microsoft applications (MS Project, Word, Excel, PowerPoint, and Visio preferred)
- Experience with state and/or local government

Desired qualifications:

- Knowledge of and experience with Dept. of Public Safety Driver and Vehicle Services systems
- Strong planning and organizational skills
- Excellent written and verbal communication skills
- Excellent interpersonal skills and ability to interact with both technical and business staff and managers
- IT and/or Business Management-related degree or other advanced degree preferred

- PMP (Project Management Professional Certification)

Desired skills (not scored) for resource type:

- Strong customer service focus and experience
- Ability to manage a large workload and adapt to reprioritization as necessary
- Ability to effectively present information and recommendations to management
- Ability to read, analyze and interpret complex documents with the ability to write using original or innovative techniques or style
- Experience working with both developers and end users
- Ability to work efficiently and effectively alone as well as with a team

Proposal Evaluation

All proposals received by the deadline which meet minimum requirements will be evaluated by representatives of the State. In some instances, an interview may be part of the evaluation process.

Proposed candidates must meet the minimum requirements; preference may be given to those that have both the minimum and the additional desired qualifications and skills.

The percentages below will be used to evaluate all proposals which meet minimum requirements received by the due date/time. At the completion of the scoring of the first criterion for each candidate, the State reserves the right to conduct interviews of either all candidates or a shortlist of candidates selected based on the points received for the written proposal for the first criterion. In the event interviews are conducted, the State reserves the right to adjust the scores given to the written submissions based on additional information derived during the interview process.

Criteria

The factors and weighting on which responders will be judged:

1. Capabilities of candidate based on experience and background on similar projects. 30%
2. Interviews. 35%
3. References. This will be equally weighted based on relevance and the work recommendation from the reference for the candidates who are chosen as finalists. 5%
4. Cost Proposal detail. 30%

Best and Final Offer: Prior to final selection, the State reserves the right to request a Best and Final cost proposal from one or more vendors who participate in the interview phase of the Evaluation selection process. Work is anticipated to begin on or about July 12, 2010 and continue through June 30, 2012. The State reserves the right, if funding is available, to extend the contract two additional one year periods.

General Requirements

Proposal Contents

By submission of a proposal, Responder warrants that the information provided is true, correct and reliable for purposes of evaluation for potential award of this work order. The submission of inaccurate or misleading information may be grounds for disqualification from the award as well as subject the responder to suspension or debarment proceedings as well as other remedies available by law.

Liability

The Contractor must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this contract by the Contractor or the Contractor's agents or employees. This clause will not be construed to bar any legal remedies the Contractor may have for the State's failure to fulfill its obligations under this contract.

Disposition of Responses

All materials submitted in response to this SOW will become property of the State and will become public record in accordance with Minnesota Statutes, section 13.591, after the evaluation process is completed. Pursuant to the statute, completion of the evaluation process occurs when the government entity has completed negotiating the contract with the selected vendor. If the Responder submits information in response to this SOW that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, Minn. Stat. § 13.37, the Responder must: clearly mark all trade secret materials in its response at the time the response is submitted, include a statement with its response justifying the trade secret designation for each item, and defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the Responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the Responder to be proprietary or trade secret materials.

Conflicts of Interest

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances which could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, a vendor is unable or potentially unable to render impartial assistance or advice to the State, or the vendor's objectivity in performing the contract work is or might be otherwise impaired, or the vendor has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division ("MMD") which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to MMD, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor, and the terms "contract," "contractor," and "contracting officer" modified appropriately to preserve the State's rights.

Preference to Targeted Group and Economically Disadvantaged Business and Individuals

In accordance with Minnesota Rules, part 1230.1810, subpart B and Minnesota Rules, part 1230.1830, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall

receive the equivalent of a six percent preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a six percent preference in the evaluation of their proposal. Eligible TG businesses must be currently certified by the Materials Management Division prior to the solicitation opening date and time. For information regarding certification, contact the Materials Management Helpline at 651.296.2600, or you may reach the Helpline by email at mmdhelp.line@state.mn.us. For TTY/TDD communications, contact the Helpline through the Minnesota Relay Services at 1.800.627.3529.

Veteran-owned/Service Disabled Veteran-Owned Preference

In accordance with Laws of Minnesota, 2009, Chapter 101, Article 2, Section 56, eligible certified veteran-owned and eligible certified service-disabled veteran-owned small businesses will receive a 6 percent preference in the evaluation of their proposal.

Eligible veteran-owned and eligible service-disabled veteran-owned small businesses should complete the Veteran-Owned/Service Disabled Veteran-Owned Preference Form in this solicitation, and include the required documentation. Only eligible, certified, veteran-owned/service disabled small businesses that provide the required documentation, per the form, will be given the preference.

Eligible veteran-owned and eligible service-disabled veteran-owned small businesses must be currently certified by the U.S. Department of Veterans Affairs prior to the solicitation opening date and time to receive the preference.

Information regarding certification by the United States Department of Veterans Affairs may be found at <http://www.vetbiz.gov>.

Nonvisual Access Standards

Nonvisual access standards require:

- 1) The effective interactive control and use of the technology, including the operating system, applications programs, prompts, and format of the data presented, are readily achievable by nonvisual means;
- 2) That the nonvisual access technology must be compatible with information technology used by other individuals with whom the blind or visually impaired individual must interact;
- 3) That nonvisual access technology must be integrated into networks used to share communications among employees, program participants, and the public; and
- 4) That the nonvisual access technology must have the capability of providing equivalent access by nonvisual means to telecommunications or other interconnected network services used by persons who are not blind or visually impaired.

Human Rights Requirements

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by Minn. R. 5000.3600, "It is hereby agreed between the parties that Minn. Stat. § 363A.36 and Minn. R.5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it. A copy of Minn. Stat. § 363A.36 and Minn. R.5000.3400 - 5000.3600 are available upon request from the contracting agency."

Certification Regarding Lobbying

Federal money will be used or may potentially be used to pay for all or part of the work under the contract, therefore the Proposer must complete the attached **Certification Regarding Lobbying** and submit it as part of its proposal.

Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion.

Federal money will be used or may potentially be used to pay for all or part of the work under the contract, therefore the Proposer must certify the following, as required by the regulations implementing Executive Order 12549.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverages sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this response that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Sample Work Order

A sample Contract Work Order is attached to this SOW for your reference.

**STATE OF MINNESOTA
AFFIDAVIT OF NONCOLLUSION**

I swear (or affirm) under the penalty of perjury:

1. That I am the Responder (if the Responder is an individual), a partner in the company (if the Responder is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Responder is a corporation);
2. That the attached proposal submitted in response to the State of Minnesota _____ Statement of Work has been arrived at by the Responder independently and has been submitted without collusion with and without any agreement, understanding or planned common course of action with, any other Responder of materials, supplies, equipment or services described in the Statement of Work, designed to limit fair and open competition;
3. That the contents of the proposal have not been communicated by the Responder or its employees or agents to any person not an employee or agent of the Responder and will not be communicated to any such persons prior to the official opening of the proposals;
4. That I am fully informed regarding the accuracy of the statements made in this affidavit; and
5. That neither I, nor any member or agent of this company or corporation, have or will contact other companies regarding participation in this reverse auction.

Responder's Firm

Name: _____

Authorized Signature: _____

Date: _____

Subscribed and sworn to me this _____ day of _____

Notary Public

My commission expires: _____

STATE OF MINNESOTA
LOCATION OF SERVICE DISCLOSURE AND CERTIFICATION

LOCATION OF SERVICE DISCLOSURE

Check all that apply:

- The services to be performed under the anticipated contract as specified in our proposal will be performed ENTIRELY within the State of Minnesota.
- The services to be performed under the anticipated contract as specified in our proposal entail work ENTIRELY within another state within the United States.
- The services to be performed under the anticipated contract as specified in our proposal will be performed in part within Minnesota and in part within another state within the United States.
- The services to be performed under the anticipated contract as specified in our proposal DO involve work outside the United States. Below (or attached) is a description of
 - (1) the identity of the company (identify if subcontractor) performing services outside the United States;
 - (2) the location where services under the contract will be performed; and
 - (3) the percentage of work (in dollars) as compared to the whole that will be conducted in each identified foreign location.

CERTIFICATION

By signing this statement, I certify that the information provided above is accurate and that the location where services have been indicated to be performed will not change during the course of the contract without prior, written approval from the State of Minnesota.

Name of Company:

Authorized Signature:

Printed Name:

Title:

Date: _____ Telephone Number: _____

State Of Minnesota – Affirmative Action Certification

If your response to this solicitation is or could be in excess of \$100,000, complete the information requested below to determine whether you are subject to the Minnesota Human Rights Act (Minnesota Statutes 363A.36) certification requirement, and to provide documentation of compliance if necessary. It is your sole responsibility to provide this information and—if required—to apply for Human Rights certification prior to the due date and time of the bid or proposal and to obtain Human Rights certification prior to the execution of the contract. The State of Minnesota is under no obligation to delay proceeding with a contract until a company receives Human Rights certification

BOX A – For companies which have employed more than 40 full-time employees within Minnesota on any single working day during the previous 12 months. All other companies proceed to BOX B.

Your response will be rejected unless your business:

has a current Certificate of Compliance issued by the Minnesota Department of Human Rights (MDHR)

–or–

has submitted an affirmative action plan to the MDHR, which the Department received prior to the date and time the responses are due.

Check one of the following statements if you have employed more than 40 full-time employees in Minnesota on any single working day during the previous 12 months:

- We have a current Certificate of Compliance issued by the MDHR. **Proceed to BOX C. Include a copy of your certificate with your response.**
- We do not have a current Certificate of Compliance. However, we submitted an Affirmative Action Plan to the MDHR for approval, which the Department received on _____ (date). [If the date is the same as the response due date, indicate the time your plan was received: _____ (time). **Proceed to BOX C.**
- We do not have a Certificate of Compliance, nor has the MDHR received an Affirmative Action Plan from our company. **We acknowledge that our response will be rejected. Proceed to BOX C. Contact the Minnesota Department of Human Rights for assistance.** (See below for contact information.)

Please note: Certificates of Compliance must be issued by the Minnesota Department of Human Rights. Affirmative Action Plans approved by the Federal government, a county, or a municipality must still be received, reviewed, and approved by the Minnesota Department of Human Rights before a certificate can be issued.

BOX B – For those companies not described in BOX A

Check below.

- We have not employed more than 40 full-time employees on any single working day in Minnesota within the previous 12 months. **Proceed to BOX C.**

BOX C – For all companies

By signing this statement, you certify that the information provided is accurate and that you are authorized to sign on behalf of the responder. You also certify that you are in compliance with federal affirmative action requirements that may apply to your company. (These requirements are generally triggered only by participating as a prime or subcontractor on federal projects or contracts. Contractors are alerted to these requirements by the federal government.)

Name of Company: _____

Date _____

Authorized Signature: _____

Telephone number: _____

Printed Name: _____

Title: _____

For assistance with this form, contact:

Minnesota Department of Human Rights, Compliance Services Section

Mail:	190 East 5 th St., Suite 700 St. Paul, MN 55101	TC	(651) 296-5663	Toll Free:	800-657-3704
		Metro:			
Web:	www.humanrights.state.mn.us	Fax:	(651) 296-9042	TTY:	(651) 296-1283
Email:	employerinfo@therightsplace.net				

State of Minnesota — Immigration Status Certification

By order of the Governor's Executive Order 08-01, vendors and subcontractors MUST certify compliance with the Immigration Reform and Control Act of 1986 (8 U.S.C. 1101 et seq.) and certify use of the *E-Verify* system established by the Department of Homeland Security.

E-Verify program information can be found at <http://www.dhs.gov/ximgtn/programs>.

If any response to a solicitation is or could be in excess of \$50,000, vendors and subcontractors must certify compliance with items 1 and 2 below. In addition, prior to the delivery of the product or initiation of services, vendors MUST obtain this certification from all subcontractors who will participate in the performance of the contract. All subcontractor certifications must be kept on file with the contract vendor and made available to the state upon request.

1. The company shown below is in compliance with the Immigration Reform and Control Act of 1986 in relation to all employees performing work in the United States and does not knowingly employ persons in violation of the United States immigration laws. The company shown below will obtain this certification from all subcontractors who will participate in the performance of this contract and maintain subcontractor certifications for inspection by the state if such inspection is requested; and

2. By the date of the delivery of the product and/or performance of services, the company shown below will have implemented or will be in the process of implementing the *E-Verify* program for all newly hired employees in the United States who will perform work on behalf of the State of Minnesota.

I certify that the company shown below is in compliance with items 1 and 2 above and that I am authorized to sign on its behalf.

Name of Company: _____

Date: _____

Authorized Signature: _____

Telephone Number: _____

Printed Name: _____

Title: _____

If the contract vendor and/or the subcontractors are not in compliance with the Immigration Reform and Control Act, or knowingly employ persons in violation of the United States immigration laws, or have not begun or implemented the *E-Verify* program for all newly hired employees in support of the contract, the state reserves the right to determine what action it may take. This action could include, but would not be limited to cancellation of the contract, and/or suspending or debaring the contract vendor from state purchasing.

For assistance with the *E-Verify* Program

Contact the National Customer Service Center (NCSC) at **1-800-375-5283** (TTY 1-800-767-1833).

For assistance with this form, contact:

Mail: 112 Administration Bldg, 50 Sherburne Ave. St. Paul, MN 55155

Email: MMDHelp.Line@state.mn.us

Telephone: 651.296.2600

Persons with a hearing or speech disability may contact us by dialing 711 or 1.800.627.3529

STATE OF MINNESOTA
VETERAN-OWNED/SERVICE DISABLED VETERAN-OWNED PREFERENCE FORM

In accordance with Laws of Minnesota, 2009, Chapter 101, Article 2, Section 56, eligible certified veteran-owned and eligible certified service-disabled veteran-owned small businesses will receive a 6 percent preference in the evaluation of their proposal.

Eligible veteran-owned and eligible service-disabled veteran-owned small businesses include certified small businesses that are majority-owned and operated by either (check the box that applies and attach the certification documents required with your response to this solicitation):

- (1) recently separated veterans, who are veterans as defined in Minn. Stat. §197.447, who have served in active military service, at any time on or after September 11, 2001, and who have been discharged under honorable conditions from active service, as indicated by the person's United States Department of Defense form DD-214 or by the commissioner of veterans affairs; or
Required Documentation:
- certification by the United States Department of Veterans Affairs as a veteran-owned small business
 - discharge form (DD-214) dated on or after September 11, 2001 with condition honorable
- (2) veterans who are veterans as defined in Minn. Stat. § 197.447, with service-connected disabilities, as determined at any time by the United States Department of Veterans Affairs.
Required Documentation:
- certification by the United States Department of Veterans Affairs as a service-disabled veteran-owned small business.

Eligible veteran-owned and eligible service-disabled veteran-owned small businesses must be **currently** certified by the U.S. Department of Veterans Affairs prior to the solicitation opening date and time to receive the preference.

Information regarding certification by the United States Department of Veterans Affairs may be found at <http://www.vetbiz.gov> .

You must submit this form and the documentation required above with your response in order to be considered for this preference.

CERTIFICATION REGARDING LOBBYING
For State of Minnesota Contracts and Grants over \$100,000

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, A Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Organization Name

Name and Title of Official Signing for Organization

By: _____
Signature of Official

Date

Sample
STATE OF MINNESOTA
IT Professional Services Master Contract Work Order

This work order is between the State of Minnesota, acting through its _____ ("State") and _____ ("Contractor"). This work order is issued under the authority of Master Contract T-Number 502TS, CFMS Number _____, and is subject to all provisions of the master contract which is incorporated by reference.

Recitals

1. Under Minn. Stat. § 15.061 [INSERT ADDITIONAL STATUTORY AUTHORIZATION IF NECESSARY.] the State is empowered to engage such assistance as deemed necessary.
2. The State is in need of [ADD BRIEF NARRATIVE OF THE PURPOSE OF THE CONTRACT].
3. The Contractor represents that it is duly qualified and agrees to perform all services described in this work order to the satisfaction of the State.

Work Order

1 Term of Work Order

- 1.1** *Effective date:* _____, or the date the State obtains all required signatures under Minn. Stat. § 16C.05, subd. 2, whichever is later.

[The Contractor must not begin work under this work order until it is fully executed and the Contractor has been notified by the State's Authorized Representative to begin the work.]

- 1.2** *Expiration date:* _____, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2 Contractor's Duties

The Contractor, who is not a state employee, will: _____/[Thorough Description of Tasks/Duties]

3 Consideration and Payment

- 3.1** *Consideration.* The State will pay for all services performed by the Contractor under this work order as follows:

A. *Compensation.* The Contractor will be paid as follows:

[For projects, list out each deliverable and amount to be paid for each deliverable. Only if a specific deliverable cannot be defined, insert an hourly rate.]

B. *Travel Expenses.* Reimbursement for travel and subsistence expenses actually and necessarily incurred by the Contractor as a result of this work order will not exceed \$_____.

C. *Total Obligation.* The total obligation of the State for all compensation and reimbursements to the Contractor under this work order will not exceed \$_____.

- 3.2** *Invoices.* The State will promptly pay the Contractor after the Contractor presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted timely and according to the following schedule: _____

4 Liability

The Contractor must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this contract by the Contractor or the Contractor's agents or employees. This clause will not be construed to bar any legal remedies the Contractor may have for the State's failure to fulfill its obligations under this contract.

5 Foreign Outsourcing

Contractor agrees that the disclosures and certifications made in its Location of Service Disclosure and Certification Form submitted with its proposal are true, accurate and incorporated into this work order contract by reference.

6 Authorized Representatives

The State's Authorized Representative is _____. The State's Authorized Representative will certify acceptance on each invoice submitted for payment.

The Contractor's Authorized Representative is _____. If the Contractor's Authorized Representative changes at any time during this work order, the Authorized Representative must immediately notify the State.

[Signatures as required by the state]

Attachment 1

Department of Public Safety's Security Architecture

Minnesota Department of Public Safety divisions and their vendors should be aware of the department's security architecture when designing and/or implementing applications or installing network devices on departmental resources.

Web Based Applications and/or Servers

Web Based Applications should be based upon Microsoft Internet Information Server unless there is compelling business needs to use some other Web Server environment.

Web Servers will be installed on a separate and isolated Ethernet network segment behind a departmental firewall.

Web Servers must not host Applications. Applications must reside on a separate Application Server on a separate and isolated Ethernet network segment behind a departmental firewall.

The departmental network is TCP/IP based.

As the default profile of the firewall is to deny all incoming and outgoing traffic, DPS divisions and/or their vendors must provide all source and destination addresses, port numbers, and protocols required for network communications. In addition, they must provide a written business need for the network communications.

Database Applications and/or Servers

Database Applications should be based upon Microsoft SQL Server unless there are business needs to use some other Database Server environment.

Database Servers will be installed on a separate and isolated Ethernet network segment behind a departmental firewall.

The departmental network is TCP/IP based.

As the default profile of the firewall is to deny all incoming and outgoing traffic, DPS divisions and/or their vendors must provide all source and destination addresses, port numbers, and protocols required for network communications. In addition, they must provide a written business need for the network communications.

Email Based Applications and/or Servers

DPS divisions and/or their vendors are encouraged to use the department's email system where appropriate.

Email Based Applications should be based upon Microsoft Exchange Server unless there is compelling business needs to use some other Web Server environment.

Email Servers will be installed on a separate and isolated Ethernet network segment behind a departmental firewall.

The departmental network is TCP/IP based.

As the default profile of the firewall is to deny all incoming and outgoing traffic, DPS divisions and/or their vendors must provide all source and destination addresses, port numbers, and protocols required for network communications. In addition, they must provide a written business need for the network communications.

Applications and/or Application Servers

DPS divisions and/or their vendors will need to discuss with the departmental Security Manager as to the appropriate placement of applications and application servers.

Data Privacy

Since some departmental data is classified as “Not Public” data, this type of data must be protected during transport across public networks and possibly in storage.

The department has implemented Virtual Private Network (VPN) technology to aid in the transport of private data.

Contact the departmental Security Manager for discussions on the use of this technology.

Vendor Remote Access

Remote vendor access for technical support will occur when there is a valid business need, through a secured and monitored VPN. If persistent access is required, the VPN will use two-factor authentication. If one time access is required, VPN access may be granted using a strong password. This remote VPN access shall be limited by the firewall and/or VPN server to the specific protocols, ports, and servers needed.

Vendor staff may be required to undergo a background criminal history check in accordance with DPS Policy #5100 Information Resources Security and Acceptable Use.