



**REQUEST FOR PROPOSAL:  
Broadband Equity, Access and Deployment (BEAD) and Digital Equity (DE) Grant  
Administration, Compliance, and Reporting**

PROPOSAL DUE DATE AND TIME  
**February 24, 2025 – 2:00 P.M. MOUNTAIN TIME**

**Wyoming Business Council  
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# SECTION 1: REQUEST FOR PROPOSAL

## 1. SUBMISSION OF PROPOSALS:

The Wyoming Business Council will receive proposals for providing BEAD Grant Administration, Compliance, and Reporting identified in this RFP for the State of Wyoming, Wyoming Business Council (Council) through email at [wbc.rfp@wyo.gov](mailto:wbc.rfp@wyo.gov). Proposals are due no later than 2:00 P.M. (Mountain Time) on February 24, 2025.

The technical proposal and cost proposal should be emailed as separate documents and identified as such.

- 1.1. Proposals should be accompanied by the attached Pricing Schedule and signed by the proper official of the firm. All proposals should be sent to [wbc.rfp@wyo.gov](mailto:wbc.rfp@wyo.gov).
- 1.2. Proposals should be submitted to [wbc.rfp@wyo.gov](mailto:wbc.rfp@wyo.gov) on or before the date and time specified. Proposals received after the date and time specified may be rejected.
- 1.3. The State of Wyoming reserves the right to withdraw this Request for Proposal, without cause, at any time before a contract has been fully signed and submitted to the Council.

## 2. MODIFICATIONS OR WITHDRAWAL OF PROPOSALS:

- 2.1. The proposer may withdraw its proposal by submitting the request to [wbc.rfp@wyo.gov](mailto:wbc.rfp@wyo.gov) up to the proposal due date and time contained in this document. If a proposal is accepted and the proposer fails to furnish the service agreed upon in the proposal, that proposer may be eliminated from future consideration.

## 3. PREPARATION OF PROPOSALS:

- 3.1. A proposal may be rejected if it modifies any of the provisions, specifications or minimum requirements of the Request for Proposal.
- 3.2. In case of error in the extension of prices in the proposal, unit prices will govern.

## 4. AWARD AND CONTRACT INFORMATION:

- 4.1. The State of Wyoming will ensure that minority business enterprises will be afforded full opportunity to submit proposals. The State of Wyoming will not discriminate on the grounds of age, race, color, sex, creed, national origin, or disability status.
- 4.2. The proposer also, agrees that should their firm be awarded a contract, it will not discriminate against any person who performs work there under because of age, race, color, sex, creed, national origin or disability. In addition, the successful proposer shall comply with the Americans with Disability Act and the Wyoming Fair Employment Practices Act.
- 4.3. The proposer expressly warrants to the State that it has the ability and expertise to perform the contract if awarded. In doing so, it shall use the highest standards of professional workmanship.
- 4.4. The State of Wyoming reserves the right to reject any or all proposals, to waive any informality or technical defect in the proposals, or to award the contract in whole or in part, if deemed to be in the best interest of the State to do so.
- 4.5. The successful proposer will be required to agree to and execute a formal contract with the State containing Federal Provision terms required by the Attorney General with reasonable adjustments acceptable to the State. Draft example of State of Wyoming Contract will accompany this RFP.

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- 4.6 If applicable, the State will negotiate payment terms based upon a schedule to be determined by the proposer and the State. Paying invoices will be based upon the proposer successfully completing the deliverables within the stated deadlines, and upon the Council's written acceptance of the deliverables or services.

## SECTION 2: GENERAL PROVISIONS

### 1. INSURANCE:

- 1.1. The contract between the successful proposer and the State shall require the successful proposer to carry certain insurance policies. All such insurance policies, except workers' compensation and unemployment compensation policies, shall contain a waiver of subrogation against the Council and the State, its agents and employees.

### 2. LAWS TO BE OBSERVED:

- 2.1. The proposer shall keep fully informed of, and comply with, all applicable federal and state laws or rules, all local bylaws, regulations and all orders and decrees of bodies or tribunals having any jurisdiction or authority. The proposer shall protect and indemnify the State and its representatives against any claim or liability arising from or based on the violation of any law, bylaw, ordinance, regulation, order or decree whether by himself or its employees.

### 3. ASSIGNMENT:

- 3.1. The proposal shall not be assigned by the proposer. Third party participation is authorized only as a joint venture that shall be clearly stated in detail in the original proposal and signed by all parties participating.
- 3.2. The proposer shall not enter into any subcontracts for any of the work contemplated under this Request for Proposal without the State's prior written authorization.

### 4. EXTENSION AND AMENDMENT:

- 4.1. The proposer and the State covenant and agree that this proposal or subsequent contract may, with the mutual approval of the proposer and the State, be extended one year at a time, for a total contract period not to exceed three (3) years. *(Council may modify reasonably to suit project needs)*

### 5. AUDIT AND ACCESS TO RECORDS:

- 5.1. The State or any of its duly authorized representatives shall have access to the proposer's books, documents, papers, electronic data and records that are directly pertinent to this Request for Proposal.

### 6. CONFLICT OF INTEREST:

- 6.1. The proposer warrants that no kickbacks, gratuities, or contingency fees have been paid in connection with this Request for Proposal and none have been promised. The proposer warrants that no one being paid pursuant to the proposal is engaged in any activity that would constitute a conflict of interest with respect to the purchases of the proposal.

### 7. NO FINDER'S FEE:

- 7.1. The proposer warrants that no finder's fee, employment council fee, or any such fee related to the proposal shall be paid.

## 8. SOVEREIGN IMMUNITY:

8.1. Pursuant to Wyoming Statute § 1-39-104(a), the State of Wyoming and the Council expressly reserve sovereign immunity and specifically retain all immunities and defenses available to them as sovereigns. The proposer acknowledges that the State of Wyoming has sovereign immunity and only the Wyoming Legislature has the power to waive sovereign immunity. Designation of venue, choice of law, enforcement actions, and similar provisions shall not be construed as a waiver of sovereign immunity. The parties agree that any ambiguity in this Request for Proposal shall not be strictly construed, either against or for either party, except that any ambiguity as to sovereign immunity shall be construed in favor of sovereign immunity.

## 9. INDEMNIFICATION:

9.1. The proposer shall release, indemnify, and hold harmless the State, the Council and its officers, agents, and employees from any and all claims, suits, liabilities, court awards, damages, costs, attorneys' fees, and expenses arising out of the proposer's failure to perform any of the proposer's duties and obligations hereunder or in connection with the negligent performance of proposer's duties and obligations, including, but not limited to, any claims, suits, liabilities, court awards, damages, costs, attorneys' fees, and expenses arising out of proposer's negligence or other tortious conduct.

## 10. APPLICABLE LAW/VENUE:

10.1. The construction, interpretation, and enforcement of this Request for Proposal shall be governed by the laws of the State of Wyoming, without regard to conflicts of law principles. The terms "hereof," "hereunder," "herein," and words of similar import, are intended to refer to this Request for Proposal as a whole and not to any particular provision or part.

## 11. RIGHT OF OWNERSHIP AND MARKETING OF INTELLECTUAL PROPERTY AND INTELLECTUAL ASSETS SUBMITTED FOR THE RFP (IF APPLICABLE):

11.1. It is acknowledged and agreed that the only party with a right to market, trademark, patent, copyright, or any like right to any intellectual property or intellectual assets submitted in relation to the Request for Proposal shall be and is solely vested in the State. This includes all intellectual property and intellectual assets related to both the written proposal and the oral presentation and any and all documents, pitches, products, media pitches, web screens, layouts, etc. produced for the written proposal and the oral presentation, and any updates, changes, alterations, or modifications to or derivative works.

## SECTION 3: SPECIAL PROVISIONS INFORMATION

PROPOSALS SHOULD BE SUBMITTED TO [WBC.RFP@WYO.GOV](mailto:WBC.RFP@WYO.GOV) BY 2:00:00 P.M. MOUNTAIN TIME ON FEBRUARY 24, 2025. PROPOSALS RECEIVED AFTER THE DATE AND TIME SPECIFIED MAY BE REJECTED.

It is the responsibility of the proposer to clearly identify all information that is considered confidential in accordance with the Wyoming Public Records Act, Wyoming Statute §16-4-201 through §16-4-205. Please identify each confidential page with the word "CONFIDENTIAL" in capital, bold letters centered at the bottom of each page. Information not clearly marked may be considered public. If the proposer submits information that it believes is confidential, it should include a statement justifying its basis for that belief.

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## 1. STATE PARTIES:

- 1.1. Throughout this document and others in connection with this project, various references are made or will be made to the “State.” Generally, whenever this reference appears, the term “State” incorporates all state agencies working on this project.
- 1.2. It should be understood that the Chief Executive Officer, or Chief Operating Officer of the Council is empowered to be the signatory on all contracts, agreements, or modifications pertaining to this project. Any contracts, agreements, or modifications not bearing this signature or that of a designee are invalid.

## 2. CONTENT AND PROCUREMENT POINTS OF CONTACT:

- 2.1. Wyoming Business Council is the primary point of contact from the date of release of the Request for Proposal until a proposer is selected and the selection is announced.
- 2.2. Written questions about the procurement should be submitted through email at [wbc.rfp@wyo.gov](mailto:wbc.rfp@wyo.gov) until 2:00 P.M. Mountain Time on February 17, 2025. Any questions received after that deadline may not be accepted or considered. Each question should be submitted individually.
- 2.3. Only the written answers issued by the Council are the official position on an issue, and these answers shall become part of the Request for Proposal.

## 3. RESTRICTIONS ON COMMUNICATIONS WITH COUNCIL STAFF:

- 3.1. Until a proposer is selected and the selection is announced, proposers shall not communicate with Council staff except via written questions through email at [wbc.rfp@wyo.gov](mailto:wbc.rfp@wyo.gov).
- 3.2. If a proposer violates this restriction, the State reserves the right to reject the proposal.

## 4. EFFECTIVE DATES OF PROPOSAL:

- 4.1. All terms, conditions and costs quoted in the proposer’s response will be binding on the proposer for one-hundred eighty (180) days from the effective date of the proposal.

## 5. ADVERTISING AWARD CONDITIONS:

- 5.1. A fully executed contract should be completed with the State before the successful proposer may advertise the award of the contract or the services being performed. The proposer should agree not to refer to awards in commercial advertising in such a manner that states or implies that the firm or its services are endorsed or preferred by the State of Wyoming.

## 6. CONTRACT NEGOTIATIONS:

- 6.1. The State will notify the most qualified/successful proposer and negotiate a contract in accordance with the Wyoming Attorney General’s contract guidelines. The successful proposer will be required to enter into and sign a formal contract with the Council.
- 6.2. In the event the Council determines contract negotiations are making no forward progress, negotiations will be terminated, and at the State’s sole discretion, negotiations may be initiated with the next most qualified/successful proposer, or the RFP may be withdrawn or reissued. This process will be followed until an agreement is reached, or until the State determines that the RFP will be withdrawn or reissued. The State assumes no obligation to a selected proposer until an agreement is reached and a contract is fully executed. The State will not negotiate concurrently with more than one proposer for the same award.

## 7. BEGINNING WORK:

7.1. The successful proposer may not perform any work that could be billed until a contract has been executed. The State will not pay for any work by the proposer before a contract is executed.

## 8. COPYRIGHT INFRINGEMENT:

8.1. The proposer warrants that no materials, products, and services proposed will infringe upon or violate any patent, copyright, trade secret, or other proprietary right of any third party. In the event of a claim by any third party against the State, the State shall promptly notify the proposer, and the proposer shall defend the claim. The defense will be at the proposer's expense.

## 9. COST OF PREPARING PROPOSALS:

9.1. All costs incurred for preparing the proposal and for other procurement-related activities are solely the proposer's responsibility. The State of Wyoming will not provide reimbursement of these costs.

## 10. RISKS AND LIABILITIES:

10.1. By submitting a proposal, a proposer assumes any and all risks and liability associated with information in the proposal and its release.

## 11. AMENDMENTS:

11.1. The State reserves the right to amend this Request for Proposal before the proposal submission date. Amendments shall be sent to [wbc.rfp@wyo.gov](mailto:wbc.rfp@wyo.gov) online bidding system.

## 12. PROPERTY DAMAGE AND LIABILITY INSURANCE:

12.1. The proposer may be required to furnish proof of property damage liability insurance in the amount deemed necessary by the Council for this project, if applicable.

12.2. Questions regarding required insurance coverage and limits for this project should be submitted in writing, in accordance with instructions outlined in the special provisions.

## 13. MISREPRESENTATION OF INFORMATION:

13.1. Misrepresentation of a proposer's status, experience, or capability in the proposal may result in disqualification of that proposer from the selection process. Discovery of litigation or investigations in a similar area of endeavor may, at the discretion of the Council and after consultation with Procurement, preclude the proposer from the selection process.

## 14. DISPOSITION OF PROPOSALS:

14.1. All material submitted becomes property of the State of Wyoming, which is under no obligation to return any of the material submitted.

## 15. LEGAL CONSIDERATIONS:

15.1. This Request for Proposal is issued under Wyoming Statute §9-2-3204.

## 16. PROPOSER RELATIONS WITH STATE:

16.1. The proposer and its staff will have an ongoing relationship with the State that is based on trust, confidentiality, objectivity and integrity. The proposer will operate at all times in the State's best interests and in a straightforward, trustworthy and professional manner. The proposer shall:

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- 16.1.1. Work cooperatively with the State’s staff and business partners whenever required.
- 16.1.2. Work cooperatively with the staff of other proposers whenever required.

## SECTION 4: KEY DATES

Event Description	Date	Time (Mountain Time)
RFP Release Date	February 3, 2025	Noon
Closing Date for Questions	February 17, 2025	2:00 P.M.
Response to Questions Returned	February 20, 2025	2:00 P.M.
RFP Submission Due Date	February 24, 2025	2:00 P.M.
Oral Presentations (If required)	Week of March 3, 2025	TBD
Tentative Award Date	March 17, 2025	N/A
Tentative Work Begins Date	July 1, 2025	N/A

## SECTION 5: ADMINISTRATIVE BACKGROUND

### 1. PURPOSE AND INTENT:

The purpose of this Request for Proposal (RFP) is to solicit competitive proposals from proposers who can offer BEAD Administration, Compliance and Reporting Requirements as required by BEAD Notice of Funding Opportunity (NOFO) needs and expectations, as described within this RFP. The reporting requirements published to date can be found at the following links: Anticipated SAR Requirements; [https://broadbandusa.ntia.doc.gov/sites/default/files/2024-12/BEAD\\_Anticipated\\_SAR\\_Reporting\\_Requirements\\_Guidance\\_v1.3.pdf](https://broadbandusa.ntia.doc.gov/sites/default/files/2024-12/BEAD_Anticipated_SAR_Reporting_Requirements_Guidance_v1.3.pdf) NEPA for BEAD Milestone Schedule and Timeline Guidance; [https://broadbandusa.ntia.doc.gov/sites/default/files/2024-11/NEPA\\_for\\_BEAD\\_Milestones\\_Schedule\\_and\\_Timeline\\_Guidance.pdf](https://broadbandusa.ntia.doc.gov/sites/default/files/2024-11/NEPA_for_BEAD_Milestones_Schedule_and_Timeline_Guidance.pdf) Subgrantee Draft Performance Measures for Last Mile Networks: <https://www.ntia.gov/funding-programs/internet-all/broadband-equity-access-and-deployment-bead-program/program-documentation/draft-performance-measures-bead-last-mile-networks-policy-notice-public-comment> The Broadband Equity, Access and Deployment (BEAD) Program, established by the Infrastructure Investment and Jobs Act (IIJA), appropriated \$42.45 billion for States, Territories, and the District of Columbia, to utilize for broadband deployment, mapping, and adoption projects.

Digital Equity

[https://broadbandusa.ntia.gov/technical-assistance/DE\\_Capacity\\_Recipient\\_Handbook\\_and\\_Appendices](https://broadbandusa.ntia.gov/technical-assistance/DE_Capacity_Recipient_Handbook_and_Appendices)

Provide grant administration, audit and compliance of the states Digital Access(Equity) Plan to include the following items. These items may be subject to change based on NTIA guidance:

Assist in the development of Specifics Projects Plan and form with sub-grantee to assure it meets the program objectives defined in the Digital Equity Plan Notice of Funding Opportunity.

Develop processes to track and report, according to the NTIA defined reporting schedule, on Measurable objectives outlined in the states Digital Equity plan among each Covered Population located in the State:

Measurable Objectives: (Subject to change)

- a. Digital Access - The availability of, and affordability of access to, fixed and wireless broadband technology.
- b. Collaboration and Stakeholder Engagement - The online accessibility and inclusivity of public resources and services.
- c. Digital literacy – Telehealth and Medicare Advantage digital literacy.
- d. Online Privacy and Cybersecurity - Awareness of, and the use of, measures to secure the online privacy of, and cybersecurity with respect to, an individual.
- e. Access to Digital Devices - The availability and affordability of consumer devices and technical support for those devices.
- f. Integrated Education and Training for Workforce and Economic Development.

Provide expertise and guidance on federal Digital Access programs to the Wyoming Business Council Broadband Office. This would include but not limited to: Subsequent applications for additional funding, competitive grant creation and administration.

## SECTION 6: REQUIREMENTS/SPECIFICATIONS

- 1.1. SCOPE OF PROJECT: The purpose of this Request for Proposal (RFP) is to solicit competitive proposals from proposers who can offer a comprehensive compliance and reporting requirements of the BEAD Program, meeting Department of Commerce/NTIA requirements and deadlines to ensure the State of Wyoming and its subrecipients are eligible for broadband infrastructure funds. The successful proposer will be required to provide a high level of quality services which are normally associated with the handling of a state government account of this scope and size.
- 1.2. To ensure the timely completion of environmental review for all BEAD funded activities subject to NEPA review, the Grantee must serve as a “joint lead agency” in its capacity as the State (or Territory) agency administering the BEAD program in accordance with 42 U.S.C. 4336(a)(1)(B) and carry out the duties described in 42 U.S.C. 4336a(a). Found at: BEAD General Terms and Conditions, Section 13B.
- 1.3. Must provide a milestone schedule identifying specific deadlines and describing how the Subgrantee proposes to meet timing requirements for:

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- The completion of any required consultations
- The completion of applicable reviews for NEPA, National Historical Protection Act (NHPA) Section 106, and Endangered Species Act (ESA) Section 7
- The submission of Environmental Assessment (EAs) or Environmental Impact Statements (Eis) if required.

## 2. GENERAL REQUIREMENTS:

**Scope of Services** – Council is seeking a Consultant responsible for providing comprehensive project management for all the activities as described in the following sections. Council will retain responsibility for key programmatic determinations. All deliverables submitted by the Consultant will be subject to review and approval by Council and WBO.

### 2.1 Grant Management, Compliance, and Reporting

- Design and execute on program plan to meet all reporting requirements for the EE (eligible entity/the state) BEAD program’s upcoming, post-Final Proposal Semi-Annual Reports (SARs), including standard reporting requirements described in the BEAD NOFO, 2 CFR 200, and the DOC Financial Assistance Standard Terms and Conditions and as described in the Anticipated Post-Final Proposal BEAD Semi-Annual Report Requirements document as:
  - EE-Level Reporting Requirements
  - Subgrantee-Level Reporting Requirements
  - Contractor/Subcontractor-Level Reporting Requirements
  - Project-Level Reporting Requirements
  - Location-Level Reporting Requirements

Additional reporting requirements may include:

- Compliance with 2 CFR 200.328 financial reporting
- Compliance with 2 CFR 200.329 on monitoring and reporting program performance.
- Compliance with Appendix XII to 2 CFR 200.103 (if applicable)
- Meet Fraud, Waste and Abuse requirements the EE may be responsible for by providing the following types of information in an accessible and organized form for ease of delivery, as deemed necessary by the Department of Commerce/NTIA or other federal or state agencies. Note, this is not an exhaustive list.
  - 1) Expenditure Data such as invoice data, including cumulative totals for costs associated with deployment and non-deployment spend categories. Differentiation of expenditures by purchase type (contract, month-to-month, leasing, tariff).
  - 2) Payroll Data such as project employees (e.g., salary, hourly rate) by employee category (no PII).
  - 3) Cost sharing and Matching Data such as validation or updating source(s) of cost sharing contribution, valuation of in-kind contribution (e.g., monetary value of contribution), costs or activities being counted towards cost sharing/cost matching (totals), a description of methodology used to value in-kind contribution in the reporting period.

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- Design and execute on a comprehensive subgrantee NEPA program and compliance mechanism: Align all evaluation and monitoring activities with the BEAD program requirements and design a process to manage subgrantees progress against the NEPA milestone schedules.
- Gather data from subgrantees and report all required information on specific projects and locations including required test data.
- Conducted field reviews, and audits on infrastructure projects as determined by the Department of Commerce, NTIA or the EE to assure compliance with program requirements, network quality and resilience.

## 2.2 Digital Equity Grant Administration, Audit and Compliance

Provide grant administration, audit and compliance of the States Digital Access (Equity) Plan to include the following items. These items may be subject to change based on the NTIA guidance:

- Assist in the development of Specifics Projects Plan and form with sub-grantee to assure it meets the program objectives defined in the Digital Equity Plan Notice of Funding Opportunity.
- Develop processes to track and report, according to the NTIA defined reporting schedule, on measurable objectives outlined in the States Digital Equity Plan among each Covered Population in the State.
- Measurable Objectives (Subject to Change)
  - Digital Access – The availability of, and affordability of access to, fixed and wireless broadband technology.
  - Collaboration and Stakeholder Engagement – The online accessibility and inclusivity of public resources and services.
  - Digital Literacy – Telehealth and Medicare Advantage digital literacy.
  - Online Privacy and Cybersecurity – Awareness of, and the use of, measures to secure the online privacy of, and cybersecurity with respect to an individual.
  - Access to Digital Devices – The availability and affordability of consumer devices and technical support for those devices.
  - Integrated Education and Training for workforce and economic development.
- Provide expertise and guidance on Federal Digital Access programs to the Wyoming Business Council and Wyoming Broadband Office. This would include, but limited to, subsequent applications for additional funding, competitive grant creation and administration. Prepare required documents for state filings according to DE Capacity Recipient Handbook. ([https://broadbandusa.ntia.gov/technical-assistance/DE\\_Capacity\\_Recipient\\_Handbook\\_and\\_Appendices](https://broadbandusa.ntia.gov/technical-assistance/DE_Capacity_Recipient_Handbook_and_Appendices))

## 3. RESOURCE RESPONSIBILITIES:

3.1. Project Manager: The proposer should designate a project manager to represent and oversee the project. This individual will serve as the focal and contact point for all proposer business matters relating to the project. An individual resume or portfolio of work, a list of their qualifications, years of experience, current work assignments and office location should be included. Confirm the project manager will:

- 3.1.1. Be the single point of contact for the duration of the engagement.
- 3.1.2. Be responsible for timely completion of all phases of post award audit and compliance.
- 3.1.3. Be responsible for meeting all contractual requirements for the duration of the project.

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- 3.1.4. Attend status, quality review and acceptance meetings as required and present status and progress reports on the project.
      - 3.1.5. Remain assigned to the project through completion of the project as determined by the Council.
      - 3.1.6. Identify project responsibilities and job functions.
    - 3.2. Other Key Personnel: The proposer should provide a list of all key personnel to be assigned to any part of the project and the duration of time they will serve on the project. The following should be considered:
      - 3.2.1. Project Management
      - 3.2.2. Change Management Strategies
      - 3.2.3. Subject Matter/Industry Expertise
      - 3.2.4. Experience on Government Projects
      - 3.2.5. Quality Assurance for Government Projects
      - 3.2.6. Identify how long the current team to be assigned to the project has been together
      - 3.2.7. Describe the proposer's transition plan, how the firm plans to deal with the possible sudden departure of key personnel within the team
  - 3.3. Subcontractors will report to and be responsible to the proposer
    - 3.3.1. The proposer shall provide a description of work to be subcontracted to third parties.
    - 3.3.2. Certify any supporting contractor who may assist the primary contractor and meet the minimum proposer qualifications.
    - 3.3.3. A description of the nature and duration of the previous relationship of all subcontractors and/or third parties with the prime contractor.
    - 3.3.4. Explanation of any existing contractual relationship between the prime and subcontractors, or among subcontractors.
  - 3.4. Resource Management and Staffing Plan: the proposal should contain the proposer's staffing plan in response to the requirements set forth in the RFP. At a minimum, the staffing plan should address the following:
    - 3.4.1. Staffing Levels (estimated by staff disciplines by month for the duration of the project).
    - 3.4.2. Break out of staff disciplines (including title and job responsibility)
    - 3.4.3. Detail differentiated by staff (proposer, subcontractor, etc.)
    - 3.4.4. Personnel whose names and resumes are submitted in the proposal shall not be removed from this project without prior approval of the Council. Substitute or additional personnel shall not be used for the project until a resume is received and approved by the Council.
    - 3.4.5. The council shall have the right to request the removal of any proposer staff member from all work on this project, and the proposer will comply with any such request immediately.
      - 3.4.5.1. The replacement for any staff member who is removed from or leaves the project for any reason should match or exceed the replaced staff member in terms of skill level

and experience. Such replacements are subject to the Council approval at the time of assignment and again 90 days later.

## SECTION 7: PROPOSAL SUBMISSION REQUIREMENTS

### 1. TECHNICAL PROPOSAL, FORMAT AND CONTENTS:

- 1.1. Proposals should be submitted in two major sections: the Technical Proposal and the Cost Proposal. Omission of this section or any item within this section may result in the proposal being eliminated. The proposer should, at a minimum, address the following points:
  - 1.1.1. Table of Contents: The table of contents should include all items listed in this section.
  - 1.1.2. Executive Summary: The executive summary will condense and highlight the contents of the technical proposal in such a way as to provide the State with a broad understanding of the proposer's qualifications and approach to meeting the requirements of the RFP.
  - 1.1.3. Proposer's Background and Experience: The proposer should include a company summary including the company history, location, office location(s), company size, and the statement of technical areas of expertise. The proposer should be able to substantiate to the satisfaction of the Council that the proposer has sufficient resources to complete the project successfully within the time requirements.
  - 1.1.4. Resumes/Portfolios: The proposer should include brief resumes or work portfolios for personnel that will be working on the project, if awarded the contract. The resumes should clearly identify expertise in the functional areas listed in Section 6. Specialized training courses will not be acceptable for demonstration of expertise in the required areas. Proven work experience combined with related education will be the means of substantiating expertise.
    - 1.1.4.1. Resume Format: Each project reference in a resume should include both the customer name and the time period the person worked on the project, as well as a brief description of the scope of work for that project. In addition, resumes should explain the role and responsibility of each person participating in the project. The State expects that personnel associated with these resumes will be the personnel working on the project, should the proposer be awarded the contract.
  - 1.1.5. References: Corporate references are required from at least three (3) prior clients. Whenever possible, an alternative point of contact for each reference should be listed with a phone number and email address. Each reference should depict relevant experience that can be brought to bear during the term of this RFP. In order to ensure current expertise, all work for client references provided should have been completed no more than three years prior to the release date of this RFP.
    - 1.1.5.1. References may be verified during the proposal evaluation by telephone calls made by members of the Evaluation Committee or through e-mail or the United State Postal Service.
    - 1.1.5.2. If contact with the referenced contact person or an alternative that has knowledge of the proposer is not made after reasonable attempts during the designated evaluation period, the reference will be classified as unsatisfactory. All attempts to contact a referenced client will be documented, including the date and time of the attempt.

- 1.1.5.3. The Council reserves the right to contact other State of Wyoming agencies regarding engagements they may have had with the proposer's company in the past, in addition to the references provided in the proposal.
- 1.1.6. Single Point of Contact: The proposer should identify a single point of contact for all contract management activities. The proposer's Project Manager's name and resume should be submitted with the proposal. A successful proposal should not change the Project Manager without written Council approval.
- 1.1.7. Proposer's Project Work Plan: The proposer should submit a work plan that meets the needs of the RFP and indicates a thorough understanding of the scope of work as outlined in Section 6. The proposer should identify realistic person hours of effort and responsibilities for the deliverables and each work activity.
- 1.1.8. Project Management Plan: The proposal should contain a comprehensive and practical description of the proposer's plans for project management and control mechanism, including staff organization structure, progress reporting, major decision making, sign-off procedures and internal control procedures. The proposer should also indicate flexibility in meeting changes in program requirements and copy with problems.
- 1.1.9. Project Delays: Proposer should also describe how project delays will be addressed should they occur. This should include assurances that sufficient resources and knowledgeable, experienced staff are available to meet any project schedule.
- 1.1.10. Contract Exceptions: Proposers should state agreement with all General Provisions and should furnish any exceptions to these provisions.
- 1.1.11. Staffing and Project Organization: An organization chart should be included with all proposed personnel, including the supervisor level, functional responsibilities, key personnel, and other staff members who will be involved in the project.
- 1.1.12. Proposer Checklist: The proposer should submit a checklist in which the proposer should evaluate their existing offering compared with the RFP mandatory/optional requirements.

## 2. COST PROPOSAL FORMAT AND CONTENT:

- 2.1. Cost Proposal Price Sheets: These pages are required by the RFP and are the State's official pricing documents. Each applicable proposer should upload the Proposal and the Cost Proposal Sheets as separate documents, and identify them as such, by emailing to [wbc.rfp@wyo.gov](mailto:wbc.rfp@wyo.gov). The price to be entered on this page is the total fixed price. In case of error in the extension of prices in the proposal, unit prices will govern. Cost breakdowns are not included on this page. The proposer should ensure all signatures and identifying numbers are properly affixed to this page in order for the Cost Proposal to be accepted.

## SECTION 8: EVALUATION METHODOLOGY

### 1. OVERVIEW:

- 1.1. The Council will conduct a comprehensive, fair, objective and impartial evaluation of proposals received in response to this Request for Proposal. Proposals will be evaluated independently by the evaluation committee members. The evaluation committee shall be made up of members representing the project subject expertise. The evaluation committee will review and score all proposals independently and consolidate the scores in order to determine the award.

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## 2. COMPLIANCE WITH MANDATORY REQUIREMENTS:

- 2.1. To be considered responsive, a submitted proposal should meet the minimum requirements defined in this RFP. The minimum requirements are intended to ensure that evaluation of the Technical Proposal can proceed and that the Contractor agrees to perform all responsibilities within the RFP.

## 3. TECHNICAL SCORING AND RANKING:

- 3.1. PROPOSER BACKGROUND AND EXPERIENCE: **25** Points. Proposer should present materials describing its organization capability to successfully perform the responsibilities of this contract.

- 3.1.1. Experience working with Federal Government Programs and/or State Broadband Offices. Proposer should differentiate themselves from other proposers with their ideas, innovations, trends, opportunities, and functionality which would enhance the Council's workflows.

- 3.1.2. Details of previous contractual experience should include the length of time covered by the contract, the types of tasks performed and the results thereof, and a reference that includes a name, current title and telephone number. Emphasis should be placed on experience/implementing projects similar to the scope of work described in this RFP.

- 3.1.3. At least two (2) project references for current or recently completed (within the last three (3) years) contracts similar in nature to the services required by the Council for this contract will be included in this section. Contract references should include the name, position, title, and current phone number of the client.

- 3.1.4. This section will also address overall organizational size, computer resources, financial stability and current contractual obligations. The proposer should include a current financial statement and proof of federal or professional certifications or other credentials.

- 3.1.5. Proposer must introduce team assigned to the Council and their respective roles, expertise, and hierarchy within the proposer's organization chart. The proposer must describe expertise in developing client relationships and address onboarding with Council staff and other partners/stakeholders, discovery phase and training. The proposer must demonstrate its expertise in collaborating with multiple teams to achieve a common mission and strategic goals.

- 3.2. PROJECT MANAGEMENT: **25** Points. The proposer should provide an organization chart with all proposed personnel, including the supervisor level, functional responsibilities, key personnel, and other staff members who will be involved in this project.

- 3.2.1. The proposer should include brief resumes for personnel that will be working on the project. The resumes should clearly identify expertise in the functional areas listed in the scope of work. Specialized training courses will not be acceptable for demonstration of expertise in the required areas. Proven work experience combined with related education will be means of substantiating expertise.

- 3.2.2. Two (2) references for each of the staff members being proposed for the project should be included in the proposal. Each reference should depict relevant experience that can be brought to bear during the term of this RFP. In order to ensure current expertise, all work for client references provided should have been completed no more than three years prior to the release date of this RFP.

- 3.2.3. The proposer should identify a single point of contact for all contract management activities. The proposer's Project Manager's name and resume should be submitted with the proposal.

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The successful proposer should not change the Project Manager without written Council approval.

3.2.4. The proposer should submit a work plan that meets the needs of the RFP and indicates a thorough understanding of the scope of work. The work plan should identify all required work activities, milestones, and deliverable dates, of effort and responsibilities for the deliverables and each work activity.

3.3. **APPROACH TO CONTRACT PERFORMANCE: 20 Points.** The proposer should describe its approach to meeting the mandatory requirements and specifications as described in the RFP.

3.3.1. Approach in addressing the goals and objectives specified in Section 6.

3.3.2. Approach to a comprehensive and practical plan for project management and control mechanisms, including progress reporting, major decision making, sign off procedures and internal control procedures.

3.3.3. Approach to how project delays will be addressed, and mitigated, should they occur.

3.3.4. Contains assurances that sufficient resources and knowledgeable or experienced staff are available to meet delays.

3.3.5. The proposer should identify a single point of contact for all contract management activities. The proposer's Project Manager's name and resume/portfolio should be submitted with the proposal. The successful proposer should not change the Project Manager without written Council approval.

3.4. **VALUE ADDED: 50 Points.** This would be any added value that would differentiate the proposer from the other proposals that the Council may receive.

#### 4. **COST SCORING AND RANKING:**

4.1. **COST ANALYSIS: 10 Points.** The cost shall be presented as key deliverables in the form of individual cost and a project total (sum of the deliverables). The State of Wyoming reserves the right to conduct a cost analysis of the proposer's budget proposal. The analysis will include a review of all the associated costs based on the technical content of their submission. The total project cost should include all of the items listed in the scope of work plus a consideration of unforeseen needs. If any of the scope of work services cannot be provided in the proposal or the requirement cannot be met, this is to be clearly explained as to why and what an alternative approach will be and its associated cost. If there are no exclusions or exceptions, it will be determined that all of the criteria have been met for the price quotes, inclusive of all personnel, overhead, travel, equipment usage, and other miscellaneous costs for the specified contract period.

4.2. **PROOF OF WYOMING VENDOR: 5 Points.**

4.2.1. Operating as a Wyoming company is not a requirement for Proposers responding to this RFP. Companies that qualify as Wyoming Residents will receive preference. Resident Proposers must verify residency according to Wyoming state statute W.S. 16-6-101, (a) (i), defines "resident" as a person, partnership, limited partnership, registered limited partnership, registered limited liability company or corporation certified as a resident by the Department of Employment prior to proposing on this RFP, subject to the following criteria and subject to W.S. 16-6-102. Wyoming statutes are available at <http://legisweb.state.wy.us>.

4.3. **ORAL PRESENTATION/INTERVIEW: 15 Points.**

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4.3.1. The evaluation team will determine, after receipt of the written proposals, whether selected proposers will be required to make oral presentations or interviews based on their proposal. However, the Evaluation Team reserves the right to make an award without requesting a presentation from any proposer. All oral presentation costs will be the responsibility of the proposer.

5. EVALUATION POINT SUMMARY:

Technical Scoring and Ranking	25	Points
Project Management	25	Points
Approach to Contract Performance	20	Points
Value Added	50	Points
Cost Analysis	10	Points
Proof of Wyoming Vendor	5	Points
Oral Presentations, if requested	15	Points
<u>Total</u>	<u>150</u>	<u>Points</u>

6. FINAL RANKING OF PROPOSALS:

6.1 The State of Wyoming will be the sole authority of evaluating proposals. The firm that best meets the conditions of each of the criterion will be awarded the highest (not necessarily maximum) points for that criterion. The balance of the proposals will be rated based on their evaluated points. The council may schedule interviews or presentations from the highest-rated proposers. After each criterion is evaluated, the proposer with the highest number of points will be notified. The State of Wyoming reserves the right to reject any or all proposals, to waive any informality of technical defect in the proposals, or to award the contract in whole or in part, if deemed in the best interest of the State to do so.

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**SECTION 9: PROPOSAL PRICE SHEET AND SIGNATURE PAGE**

The undersigned agrees to provide Scope of Work to the Wyoming Business Council in accordance with the Request for Proposal, General Provisions, Special Provisions and Proposal Price Sheet for Request for this Proposal.

**Total Evaluated all-inclusive price for contract (to include Pricing Schedules 1)**

\_\_\_\_\_

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1. BY SUBMISSION OF A PROPOSAL, THE PROPOSER CERTIFIES:

- 1.1. Prices in this proposal have been arrived at independently, without consultation, communication or agreement for the purpose of restricting competition.
- 1.2. Proposer has not and will not attempt to induce any other person or firm to submit a proposal for the purpose of restricting competition.
- 1.3. The person signing this proposal certifies they are authorized to represent the company and are legally responsible for the price and supporting documentation provided as a result of this advertisement.
- 1.4. Proposer will comply with all applicable state and federal regulations, policies, guidelines and requirements.
- 1.5. Prices in this proposal have not been knowingly disclosed by the proposer nor will they be disclosed prior to award.

2. GENERAL INFORMATION:

Proposer Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Employer Identification Number (EIN): \_\_\_\_\_

3. OWNERSHIP AND CONTROL:

Proposer’s Legal Structure

\_\_\_\_\_ Sole Proprietorship    \_\_\_\_\_ General Partnership    \_\_\_\_\_ Corporation  
 \_\_\_\_\_ Limited Partnership    \_\_\_\_\_ Other \_\_\_\_\_

The proposer shall provide to the Council a certificate of good standing from the Wyoming Secretary of State or other proof that proposer is authorized to conduct business in the State of Wyoming before performing work under this Contract. The proposer shall ensure all annual filing and corporate taxes due and owing to the Wyoming Secretary of State’s office are up-to-date before signing the contract. Proposers may contact the Wyoming Secretary of State’s office, Corporate Division at (307) 777-7311 for assistance.

4. VENDOR VERIFICATION

I certify under penalty of perjury, that I am responsible official (as identified above) for the business entity described above as the proposer, that I have personally examined and am familiar with the information submitted in this disclosure and all attachments, and that the information is true, accurate and complete. I may be charged significant penalties for submitting false information, including criminal sanctions, which can lead to fines and/or imprisonment.

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Signature

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Date

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Name

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Title

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Pricing Schedule 1  
Wyoming Business Council  
Scope of Work

Provide an all-inclusive price for all activities related to the scope of work. Proposers may suggest a payment schedule which mirrors deliverables in meeting the requirements of this RFP. Payment schedules based on time and materials only will not be acceptable, not will a flat per-hour rate. Payment will be made at the completion and acceptances of the individual deliverables for the development and implementation of the scope of work.

Deliverable 1		\$ _____
Deliverable 2		\$ _____
Deliverable 3		\$ _____
Deliverable 4		\$ _____
Deliverable 5		\$ _____
Deliverable 6		\$ _____
Deliverable 7		\$ _____
Deliverable 8		\$ _____
Deliverable 9		\$ _____
Deliverable 10		\$ _____
Total All Inclusive Price for Schedule 1		\$ _____

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

The Council will negotiate payment terms based upon a schedule to be determined by the proposer and the Council. Payment of invoices will be based upon the proper meeting of stated deadlines for deliverables and upon the Council’s written acceptance of the deliverables. The successful proposer is required to submit monthly status reports with invoices outlining the contract’s progress and compliance with milestones and delivery dates. Each report will be verified by the Council’s representative that each of the RFP and contract requirements have been met to date

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