

REQUEST FOR PROPOSALS

Managed Information Technology (IT) Services

Questions:
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RFP Release Date:

October 17, 2013

Letter of Intent Due:

October 31, 2013, at
4:30 p.m. CST

Full Application Due:

November 27, 2013,
at 4:30 p.m. CST



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ABOUT CLEARWAY MINNESOTASM

ClearWay Minnesota is an independent, nonprofit organization that works to improve the health of all Minnesotans by eliminating the harm caused by tobacco. ClearWay Minnesota was created in 1998 to administer 3 percent (\$202 million) of Minnesota's tobacco settlement funds over a period of 25 years.

ClearWay Minnesota's mission is to enhance life in Minnesota by reducing tobacco use and exposure to secondhand smoke through research, action and collaboration. The organization's work is grounded in sound science and public health best practices, and includes a comprehensive body of tobacco cessation programs (marketed as QUITPLAN[®] Services), extensive grant-making activities in areas of research, policy and community development, and media campaigns to raise awareness of the harms of tobacco use and secondhand smoke exposure.

For more information about ClearWay Minnesota, visit www.clearwaymn.org.

OVERVIEW OF RFP

This Request for Proposal will be used to obtain proposals from qualified Managed Information Technology (IT) Service Providers.

Description of Managed IT Services Required by ClearWay MinnesotaSM

Since 2008, ClearWay Minnesota has outsourced the management of our entire IT infrastructure and support to an outside contractor. ClearWay will continue to require support including the following:

- Network management and infrastructure support;
- 24/7/365 system monitoring and response;
- Network security (including anti-virus, security updates and patch management);
- Management of network backup software;
- 24/7/365 help desk support (on-call, after-hours support);
- Email software support;
- Hardware management and support (for servers, desktops, laptops and printers);
- Application management and support;
- Remote communications support (Citrix, PCs, laptops, tablets and SmartPhones);
- On-site support for services that require in-person attention (e.g., setting up PCs);
- System and application documentation;
- License, warranty and asset tracking;
- Ongoing IT enhancement consultation; and
- Quarterly reporting on system monitoring, help desk activities, software updates and patch management.

ClearWay MinnesotaSM Current IT Environment

Confidential details regarding ClearWay Minnesota's IT environment will be sent as a separate document, via email, to all invited applicants. If you would like to submit a Letter of Intent and did not receive this information, please contact Kelly Dibble, ClearWay Minnesota IT and Office Manager, at kdibble@clearwaymn.org or 952-767-1401.

QUESTIONS

Questions regarding this RFP, Letters of Intent or the submission process should be directed to Kelly Dibble, ClearWay Minnesota IT and Office Manager at kdibble@clearwaymn.org or 952-767-1401.

TIMELINE

RFP Released	October 17, 2013
Letters of Intent Due	October 31, 2013, at 4:30 p.m. CST
ClearWay Minnesota Invites Approved Applicants to Submit Full Proposals	By November 11, 2013
Full Proposals Due	November 27, 2013, at 4:30 p.m. CST
Proposals Reviewed & Evaluated Applicant Interviews	December 2-20, 2013
Applicant Award Notification	By December 20, 2013
Contract Negotiation/Transition Contract Begins	By January 31, 2014 February 1, 2014

Please note: This RFP does not obligate ClearWay Minnesota to complete the proposed process and ClearWay Minnesota reserves the right to reject all proposals and/or cancel the solicitation in our sole discretion.

CONTRACT TERM

ClearWay Minnesota has maintained and is interested in a long-term partnership with our IT Services provider. We require a 36-month, fixed-pricing contract with a 30-day cancellation at ClearWay Minnesota's sole discretion. (Pricing may be adjusted by pre-defined criteria and amounts if there is a service-adjusting event such as adding or removing a server or user.) Pursuant to ClearWay Minnesota's Long-Term Contracting Policy, major contract vendors chosen through a competitive process may be retained a maximum of five years (contingent upon satisfactory performance). After five years, the services are rebid through another competitive process. Normally, the incumbent vendor may participate in the rebidding process.

APPLICATION PROCESS

ClearWay Minnesota is committed to selecting the most suitable Managed IT Services contractor through a competitive review process. A three-step application process has been established for this RFP. (**Please note:** Submissions received after the deadlines noted in this document are ineligible for consideration.)

Advisory warning to applicants submitting materials containing proprietary information

ClearWay Minnesota complies with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 and the Open Meeting Law, Minn. Stat. Ch. 13D. Under these laws, any information submitted to ClearWay Minnesota is a “public record” unless it is the kind of information that falls into a specific statutory exception. All applications are considered “non-public” until an applicant has been selected, at which time all documents submitted are made “public” (except for materials identified as “non-public business data and trade secret” under the Data Practices Act). You are required to mark any specific information contained in your application that is not to be disclosed to the public or used for purposes other than the evaluation of the application. Each request for non-disclosure must be accompanied by a specific justification explaining why the information is to be protected. Pricing and service elements of any proposal are considered public information unless you can demonstrate that the information is a “trade secret” or “non-public business data,” as defined in the Minnesota Government Data Practices Act. Under normal circumstances, denied applications will be destroyed six months after final approval.

Step One: Submit a Letter of Intent

All interested applicants must first submit a Letter of Intent and related forms informing ClearWay Minnesota of their intention to submit a proposal. Submissions should be sent by email to ClearWay Minnesota IT and Office Manager Kelly Dibble at kdibble@clearwaymn.org by October 31, 2013, at 4:30 p.m. CST.

Follow these guidelines when submitting your Letter of Intent:

- 1. Letter of Intent—Forms & Documentation to Return**
 - a. Complete the Letter of Intent cover sheet (Form 1)
 - b. Complete and sign the Contractor Acknowledgment of Application Terms and Conditions (Form 2), which indicates your understanding of and compliance with ClearWay Minnesota’s policies outlined in the form.
 - c. Complete & submit Sections 1 & 2 of the RFP Questionnaire that begins on p. 8 of this document. (**Feel free to review questions 3-12, but please note that those questions will be completed by applicants who are invited to submit a full RFP as Step 2 of this process.**)

- d. Based on the information herein regarding our current level of service, equipment and software, include a monthly cost estimate or expense range to provide Manage IT Services to ClearWay Minnesota.

2. Letter of Intent—Requirements

Must include the following points:

- a. An overview of your organizational capacity to successfully provide Managed IT Services for ClearWay Minnesota.
- b. A preliminary description of your proposed staffing structure to support us.

Format Guidelines

- No longer than five pages (including the answers from Sections 1 and 2 of the RFP Questionnaire)
- MS Word or PDF Format
- Submitted on your organization's letterhead
- Single-spaced
- Provided in no less than 12-point font
- Use fonts such as Arial, Times New Roman, Calibri or similarly simple and unembellished styles
- All page margins (top, bottom and sides) must be at least one inch in width

You will receive an email notification that your Letter of Intent has been received. Letters of Intent received after October 31, 2013, at 4:30 p.m. CST will not be accepted. ClearWay Minnesota will notify all applicants who submit Letters of Intent if they are invited to submit a full proposal. Only those potential applicants who meet the eligibility requirements of this RFP and who, in ClearWay Minnesota's sole discretion, appear to be capable of providing needed services will be invited to submit a full proposal.

Step Two: If your Letter of Intent is approved, submit a Full Application

Only applicants who submitted a Letter of Intent and are subsequently invited to respond will be eligible to submit a full proposal. The full proposal must be submitted online and is due no later than November 27, 2013, at 4:30 p.m. CST. Late applications will not be accepted. Directions for submitting the proposal and related materials will be given to applicants when their Letter of Intent is approved.

Follow these guidelines to submit a full application:

1. Response to the RFP Questionnaire

RFP Questionnaire responses should be in the same numbering order and should use the same titles to help facilitate the review process. Resubmit Sections 1 & 2, previously submitted with the Letter of Intent.

Format Guidelines

- No longer than 30 pages
- MS Word or PDF Format
- Single-spaced
- Provided in no less than a 12-point font
- Use fonts such as Arial, Times New Roman, Calibri or similarly simple and unembellished print styles
- All page margins (top, bottom and sides) must be at least one inch in width
- Label all sections and provide page numbers

2. Proposal—Additional Documentation

- a. Provide a sample contract for your services, including any Addendums
- b. Provide your Company’s Certificate of Liability Insurance (see Appendix A, *Service Providers Additional Insurance Requirements*)
- c. Four sets of pre-printed marketing materials (that cannot be submitted online) may be delivered to ClearWay Minnesota by the submission deadline

Step Three: RFP Reviews/Evaluations and In-Person Interviews/Site Tours

Once the review panel has evaluated the proposals, applicants selected to proceed will receive invitations for in-person interviews with their key staff responsible for supporting ClearWay Minnesota. A site tour of the Applicant’s facilities may also be requested.

REVIEW PROCESS & ELIGIBILITY REQUIREMENTS

All Letters of Intent and proposals will be reviewed and scored by a review panel consisting of ClearWay Minnesota staff, and potentially with one or more independent experts familiar with IT management. The Letter of Intent, proposals, in-person meetings and references should demonstrate the applicant’s ability to meet the eligibility requirements shown below. Along with these eligibility requirements, the review criteria below include significant factors that will be considered in ClearWay Minnesota’s evaluation process.

Eligibility Requirements

1. Either nonprofit or for-profit entities based in the United States.
 - Applicant must comply with all of the ClearWay Minnesota policies and directives in the *Contractor Acknowledgment of Application Terms and Conditions*. (See Form 2 – submitted with the Letter of Intent.)
 - Applicant must comply with ClearWay Minnesota’s insurance requirements. (See Appendix A, *Service Providers Additional Insurance Requirements*.)
2. Applicant possesses the financial capacity to provide continuing IT support to ClearWay Minnesota.
3. If selected, applicant must comply with language required in ClearWay Minnesota’s contract, including ClearWay Minnesota’s requirement for a 36-month, fixed-pricing contract with a 30-day cancellation at ClearWay Minnesota’s sole discretion. (See Form 2 and Appendix A of this document for additional requirements.)

Review Criteria

Letter of Intent Evaluation Criteria

- Applicant currently provides managed IT services.
- Applicant’s organizational capacity, experience and size ensure the ability to support ClearWay Minnesota’s IT environment and expected level of support.
- The proposed staffing structure and rationale is appropriate and reasonable considering the nature of ClearWay Minnesota’s Manage IT Service needs.
- The related expenses and pricing structure meet ClearWay Minnesota’s current and future needs.

RFP and In-Person Evaluation Criteria

- Applicant demonstrates flexibility and an aptitude to coordinate IT projects and support ClearWay Minnesota’s daily operational needs.
- Applicant’s expertise, services and security practices meet ClearWay Minnesota’s requisites.
- Applicant will provide reliable client relationship management, including reports, documentation, timely and accurate communications, and proactive consultation.
- Interviews and site-visits provide evidence of the applicant’s professional conduct and work environment.
- Applicant’s staff is well-suited to work with ClearWay Minnesota’s staff.
- Applicant has a clear understanding of ClearWay Minnesota’s business needs.

RFP QUESTIONNAIRE

Please Note:

- Sections 1 and 2 should be completed by all applicants submitting Letters of Intent.
- Sections 3-12 should only be completed by those applicants invited to submit full proposals. Resubmit Sections 1 & 2 from the Letters of Intent with the full proposals.
- Use the same numbering order and titles below to help facilitate the review process.

Step1. Submit Sections 1 and 2 with your Letter of Intent.

1. General Company Information

- Provide an overview of your company, including:
 - The year your company was started and the number of years providing managed IT services and help desk support.
 - Number of customers and average size of customers' organizations
 - Number of employees
 - In your corporation's last five completed fiscal years, how many showed a net profit?
 - Background and history
 - Office locations
- Are there any lawsuits, judgments or liens pending against your organization as a result of services provided by your company and/or that would negatively impact your company's ability to provide managed IT services to ClearWay Minnesota?
- Is your company currently under investigation by any entity? If yes, include an explanation.
 Yes No
- Is your organization in good standing with the Minnesota Secretary of State's Office?
 Yes No N/A

If yes, attach either a copy of this year's Certificate of Good Standing or proof of your organization's good standing with the Secretary of State's office. For most

Minnesota entities, proof of good standing is available at <http://www.sos.state.mn.us>. If a proof of good standing is not available, indicate why not. ClearWay Minnesota must be notified if there is a change in your organization's good-standing status.

2. References

- a. Provide contact information (and the number of years your organization has provided managed IT and help desk services) for four references, as follows:
 - i. The organization your company has supported for the longest period of time.
 - ii. A nonprofit or other organization with approximately 30 employees.
 - iii. An organization with IT infrastructure, including Citrix for remote access, and support requirements comparable to ClearWay Minnesota.
 - iv. A client whom you recently started supporting (since January 1, 2013).
- b. Provide contact information for two vendor references with an annual obligation of \$25,000 or higher.
- c. Provide a list of your company's technology partners.

Step 2. Sections 3-12 are only completed by applicants invited to submit a full RFP.

3. Staffing

- a. Provide an organizational chart of your company that reflects reporting relationships.
- b. Describe all staff who will support ClearWay Minnesota, including executive, project, help desk support, system administrators, engineers and account staff.
- c. Describe your annual staff retention rate during the past three years.
- d. Provide the resume of any staff expected to work at the ClearWay Minnesota office (e.g., the system administrator and/or network engineers). Include the date hired by your company, dates of relevant experience and any certifications held.
- e. Describe your job requirements for help desk staff.
- f. Describe your staff development and training programs.

4. Security

- a. Does your company hold any security certifications? If so, list current certifications and the year each was originally obtained.
- b. List any security certificates held by staff who may work on our account.
- c. Provide details of your company's practices for staying current on regulations, legislation, certifications and compliance.
- d. Describe background checks performed for all staff. Is your staff bonded?
- e. Include your company's security policies with regard to client access.
- f. Describe your strategy for securing your clients data.
 - i. How does your company stay informed regarding security alerts and/or events?
 - ii. How does your company notify and manage security events for your clients?
 - iii. How does your company manage mobile device security?
 - iv. How does your company ensure best security practices are being followed?
 - v. Is an annual security assessment and report included in your service?
- g. If providing any cloud solutions, does your company carry cyber liability or privacy security insurance? If yes, list the coverage type and limits.

5. Services

- a. What desktop support do you provide to clients (hardware and software)?
- b. Describe the support you provide for network hardware and operating systems.
- c. Describe support you provide to end-users having problems with remote access to our systems.
- d. Describe your work order/ticket system.
- e. Describe your system to escalate chronic or advanced problems.
- f. Describe the hours of operation for the help desk staff and the guarantee call-response time.

- g. Provide help desk statistics such as average time to respond to calls, average length of time for successful resolution of issues, the nature of the support calls, etc.
- h. Describe availability of other key staff during normal business hours, including systems administrators and engineers with areas of expertise such as Citrix.
- i. Describe after-hours support. What is the guaranteed response time? How is your after-hours response time structured (e.g., time of day, severity)? What is the average response time?
- j. Are there any penalties for your company if the guaranteed response times are not met?
- k. Describe the on-site support representative responsibilities and recommended schedule (hours per week/month).
- l. Describe specific help desk staff skill sets to support advanced issues with programs such as Citrix, Exchange, VMWare and applications support (e.g., operating system issues or MS Office issues).
- m. Describe any training your organization provides to your clients, including network applications and/or desktop applications. (Or are you affiliated with an organization that provides training to clients?)
- n. Describe any systems-backup support you offer.
- o. Describe any disaster recovery support provided.
- p. Describe how major software upgrades will be applied. Are there extra fees for upgrades? If so, please describe.
- q. Describe patch management – how software updates and patches are performed both on servers and desktops. Who is responsible doing updates? How often are they done? If using automated tools, what program is being used to rollout the updates and what programs are being updated?
- r. How are network down-times for maintenance scheduled and communicated?

6. **Monitoring**

- a. Describe your tools and strategies to monitor and ensure the stability of the computing environment.
- b. Describe how monitoring results will be communicated to ClearWay Minnesota.

7. Management

- a. Describe how you will report about status of systems, needs of users, needs for change, etc.
- b. Describe how you will propose changes in technicians assigned to the contract and seek approval for such changes from ClearWay Minnesota.
- c. Describe any IT strategic planning provided.

8. Documentation, Record Keeping and Reporting

- a. Describe your routine reporting procedures for information provided to ClearWay Minnesota.
- b. Describe how you will document and record maintenance, installation, performance and changes to the system.
- c. Describe the documentation that you will make available to ClearWay Minnesota at the end of the contract period to assist with transition, if necessary.

9. Fees

- a. Provide all fees associated with the proposed contract for services with an explanation for the pricing structure. The following should be included in your base bid:
 - i. Fees for service initiation
 - ii. Based on ClearWay Minnesota's current support requirements provide your company's ongoing monthly fees and what is included. Any support specifically excluded should be provided in the Optional Fees section below.
- b. Are monthly costs increased or decreased due to environmental changes? If so, please describe (e.g., adding or removing servers or users).

10. Optional Fees

Describe work and related costs that are specifically excluded from the contract (e.g., any optional ongoing services or project fees).

11. Transition

Describe the steps needed to transition to managed IT services with your company.

12. Miscellaneous

- a. Provide any other certifications, credentials and licenses you think are relevant for our consideration (specify if held by the company or an employee).
- b. Describe what makes your company unique in its ability to support ClearWay Minnesota's IT initiatives and infrastructure.
- c. Additional information and options (such as any cloud solutions or other technology solutions offered by your company) are welcome, but these must be included in the maximum number of pages allowed for the proposal (see Proposal Format Guidelines).

LETTER OF INTENT COVER SHEET

Download this form, complete and submit via email to Kelly Dibble, ClearWay Minnesota IT and Office Manager, at kdibble@clearwaymn.org by 4:30 p.m. CST on October 31, 2013.

Project Information

Title of Proposed Project: **MANAGED IT SERVICES**

Applicant Organization Information

Organization Name:

Website URL:

Address:

Telephone:

Name and title of the person responsible for overseeing the successful submission of this Letter of Intent:

Primary Contact Information

Primary Contact Name:

Primary Contact Address (if different than above):

Primary Contact's Email:

Primary Contact's Telephone:

Additional Contact (If different than above, name of person completing the online submission.)

Additional Contact Name:

Additional Contact's Email:

Additional Contact's Telephone:

**CLEARWAY MINNESOTASM
CONTRACTOR ACKNOWLEDGMENT OF
APPLICATION TERMS AND CONDITIONS**

Download this form, sign and submit via email to Kelly Dibble, ClearWay Minnesota IT and Office Manager, at kdibble@clearwaymn.org by 4:30 p.m. CST on October 31, 2013.

The undersigned, on behalf of an organization applying for a contract from ClearWay Minnesota, represents that he or she has the authority to execute this and related contract agreements on behalf of the applicant organization. The undersigned further acknowledges and agrees to the following in applying for a contract with ClearWay Minnesota:

The Application Process

- Applicant represents and warrants in submitting a proposal that it has complied with and/or shall comply with all applicable federal, state and local laws, rules and regulations for businesses in their industry.
- No application for funding will be considered unless it is complete and fully complies with criteria set forth in the applicable request for proposals.
- No application for funding will be considered unless and until this “Acknowledgment of Application Terms and Conditions” is signed and returned to ClearWay Minnesota’s authorized representative.
- This Request for Proposals may be withdrawn or modified by ClearWay Minnesota at any time during the application process.

The Review Process

- Any attempt to contact a review panel member to discuss the application under review during the review process will disqualify an Applicant from current and future funding. This disqualification will commence immediately upon notification to the applicant.
- Not all proposals will be funded. ClearWay Minnesota has the sole right and discretion to select or reject proposals for any reason.
- No person or organization has a right to or expectation of such funding, except as provided in a fully approved and executed contract agreement. Funding may be withdrawn (or project approval may be rescinded) if the parties fail to reach agreement during the contract negotiation process.
- If applicant is an existing or prior ClearWay Minnesota contractor, applicant acknowledges that ClearWay Minnesota may provide the review panel information about previous experience with the applicant.

Conditions for Funding

- Applicant acknowledges and will comply with the following ClearWay Minnesota policies and directives if they are awarded a contract:

Smoke-free Workplaces

Organizations receiving contract funding from ClearWay MinnesotaSM must provide a statement indicating that the worksite of the organization is smoke-free, unless tobacco use in the worksite is prohibited by law, or is an explicit component of a research treatment center.

Contractor Interaction with Tobacco Companies

ClearWay Minnesota will not contract with a tobacco company, its parent or subsidiaries.

ClearWay Minnesota will actively seek to contract with individuals and companies that provide the best possible service and have no present or anticipated relationships with tobacco companies, their parents or subsidiaries, or currently work for, nor in the past 2 years, have worked for any company with significant revenue (15% or more) from tobacco-related products.

ClearWay Minnesota generally will not contract with an individual or company that currently provides mission-related services to a tobacco company, its parent or its subsidiary. Mission-related services—include cessation, research, public relations, advertising, legal, consulting and educational services. ClearWay Minnesota may choose to contract with a company that currently provides mission-related services to a tobacco company, if the quality of the work is deemed significantly better than that provided by its competitors, and if the individuals working on the ClearWay Minnesota project have not worked directly with the tobacco company in the last 12 months, and agree that they will not work directly with the tobacco company while working with ClearWay Minnesota.

For the purposes of this Policy, tobacco is defined as commercially manufactured products containing tobacco, and does not include the traditional; cultural; spiritual; and ceremonial sacred tobacco use by American Indians and other cultures.

Contractor Compliance with Minnesota Government Data Practices Act

Applicant acknowledges that proposals submitted become public information, subject to the Minnesota Government Data Practices Act, at the time they are approved.

If ClearWay Minnesota contracts with a private sector person or entity to “perform any of its functions,” the contract must require the contractor to agree to be subject to the Minnesota Government Data Practices Act (Minn. Stat. § 13) with respect to any data

“created, collected, received, stored, used, maintained, or disseminated” by the private contractor.

The contractor agrees to comply with the Act with respect to the agreement data as if it were a government entity (as defined in the Act). Agreement data is considered public information under the Act, unless it can be demonstrated that any given agreement data should not be treated as public information, including but not limited to that such agreement data is a “trade secret” pursuant to Minn. Stat. §13.37, subd. 1 or “nonpublic business data” pursuant to Minn. Stat. §13.591, subd. 1. Contractor understands that pursuant to Minn. Stat. §13.05, subd. 11, the remedies provided in §13.08 of the Act apply to the contractor.

Trade secret information is classified as “not public” under the Minnesota Government Data Practices Act (DPA). (Private, if data on individuals, and nonpublic, if data not on individuals.) *Section 13.37, subdivision 2.*

Pricing and service agreements of proposals are considered public information, unless applicant can demonstrate that the information is a “trade secret” or “nonpublic business data” as defined by the Act.

If an individual or organization believes that a document it submits to ClearWay Minnesota contains trade secret information, the individual or organization must do the following:

- 1) Clearly mark the information with the words “trade secret.”
- 2) Explain in writing how the information meets each of the three requirements in the definition of trade secret information.

Proprietary information is not defined or classified under the DPA. Therefore, proprietary information will be public data and available to anyone upon request. This is important because if someone marks something as “proprietary,” it is not the same as marking it “trade secret.”

In the event that contractor receives a request for agreement data under the Act, contractor agrees to notify ClearWay Minnesota promptly upon such request. In the event that contractor reasonably desires that certain agreement data requested not be disclosed, contractor shall give ClearWay Minnesota notice requesting that ClearWay Minnesota withhold specific agreement data from being disclosed. Such notice shall identify the specific agreement data that contractor desires be withheld, and the statutory basis for claiming that such agreement data is not public information.

ClearWay Minnesota will not reimburse contractor for any of contractor’s attorneys’ fees, costs or any other expenses incurred in responding to Act requests or requests for information from any government agency.

Contractor Compliance with ClearWay Minnesota's Conflict of Interest Policy

Applicant warrants that no member of its staff or Board of Directors is, or, during the term of any agreement, will be, a member of the staff or Board of Directors of ClearWay Minnesota. ClearWay Minnesota will not enter into contracts with, a ClearWay Minnesota Board Member or a ClearWay Minnesota employee or the family members of either while the person is serving ClearWay Minnesota and for one year after the person ceases to be a Board Member or employee of ClearWay Minnesota.

If a family member or relative of a Board Member is, or becomes, affiliated with an organization that has a grant or contract with ClearWay Minnesota, that organization must:

- a) Certify in writing to ClearWay Minnesota that the family member or relative will not solicit, supervise, manage, administer or have a financial interest in the ClearWay Minnesota grant or contract for the duration of that grant or contract;
- b) Submit the certification within 30 days after the disclosure of the relationship to the affiliated organization or a written request from ClearWay Minnesota; and
- c) Promptly update the certification if the status of the family member or relative changes.

"Family members" of a person are the person's spouse or domestic partner, parents, stepparents, siblings, children, stepchildren, and spouses or domestic partners of the person's children and stepchildren. "Relatives" of a person are the person's aunts and uncles.

Contractor Liability and Insurance Requirements

Contractor shall be solely responsible for obtaining, and any expense in obtaining, worker's compensation, medical, dental, life, liability and all other insurance for contractor for the Term. Contractor understands that it is not covered by the insurance policies of ClearWay Minnesota. Contractor shall be responsible for obtaining, at contractor's sole expense, licenses and permits usual and necessary for performing the Services.

- During the period of time that applicant's proposal is under consideration for funding by ClearWay Minnesota, the applicant agrees to inform ClearWay Minnesota immediately of any material change affecting the capacity of the applicant organization to meet the requirements and responsibilities outlined in the Request for Proposal or the contract proposal as submitted.

Withholding of Funds or Termination After Contract Execution

ClearWay Minnesota, at our sole option, also may terminate contract agreements at any time if:

- Contractor breaches the contractor conditions set forth in the Contract agreement.
- In ClearWay Minnesota’s sole discretion, ClearWay Minnesota believes that contractor becomes unable to meet ClearWay Minnesota’s needs.

Signature of person completing this form

Date (month/day/year)

Name (please print): _____

Title (please print): _____

Organization’s legal name: _____

APPENDIX A: SERVICE PROVIDERS ADDITIONAL INSURANCE REQUIREMENTS

Applicant must provide their Company's Certificate of Liability Insurance. See requirements below.

Comprehensive or Commercial Form General Liability Insurance (contractual liability included) with minimum limits as follows:

- i. Each occurrence - \$1,000,000
- ii. Products/completed operations aggregate - \$1,000,00
- iii. Personal and Advertising Injury - \$1,000,000
- iv. General Aggregate (not applicable to comprehensive form) - \$3,000,000

Additional Insurance Requirements

- A. Errors and omissions or professional liability insurance with a minimum limit of \$1,000,000 per occurrence and aggregate.
- B. Business Automobile Liability Insurance for owned, scheduled, non-owned or hired automobiles with a combined single limit no less than \$1,000,000 per occurrence if using automobiles while conducting business for ClearWay Minnesota.
- C. Workers Compensation and Employers Liability Insurance in a form and amount covering Applicant's full liability under the laws of the State of Minnesota.
- D. Such other insurance in such amounts which from time to time may be reasonably required by mutual consent of ClearWay Minnesota and Applicant against other insurable risks relating to performance.
- E. The coverages required under the issuance of any insurance policy required, and the minimum limits specified herein with respect to Applicant's insurance coverage, shall in no way be deemed to limit or restrict Applicant's liability.
- F. Contractor shall further provide for 30 day advance written notice to ClearWay Minnesota of any modification, change or cancellation of any of the above insurance coverages.