



**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS  
New Hampshire Broadband Mapping RFP  
RFP DBEA 2022-14**

**Section 1 – Overview and Schedule**

**A. Executive Summary**

Through this Request for Proposal (RFP) the New Hampshire Department of Business and Economic Affairs (Agency) seeks a qualified contractor to assist in the development, publishing and maintenance of broadband availability maps in support of the State’s ongoing efforts to ensure that all New Hampshire residents have access to reliable and consistent internet service.

When the COVID-19 pandemic began in early-2020 and shuttered businesses and schools throughout New Hampshire, the State recognized the opportunity that was being lost on some of the most rural residents who had limited access to a reliable internet connection. This lack of connectivity was preventing children from learning, families from working, and individuals from being able to seek critical health care services. In 2020, when Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), New Hampshire made the decision to allocate their \$13 million grant to enhancing broadband infrastructure in the State’s most rural regions. In 2022, New Hampshire will be allocating more than \$110 million in Coronavirus Capital Project Funds (CPF) from the American Rescue Plan Act of 2021 and a minimum of \$100 million from the Bipartisan Infrastructure Law (BIL) for broadband connectivity. The goal of these investment was – and is – to support the State’s most rural communities with the connectivity they needed to enable work, education, and health among the population. Since the development of this infrastructure, the State has heard countless testimonials from residents whose children were able to maintain their schooling and who were able to keep their jobs even though the world had shifted into remote access – opportunities that were only possible because of the investment that the State made in critical broadband infrastructure.

However, to best target these funds toward the unserved locations within New Hampshire, the state has determined that a comprehensive map of where there is broadband service available is critical to this effort.

As ARPA federal funds are being used, the Grant Agreement issued will be a sub-award and BEA will be required to ensure compliance with all federal guidance, including the applicable requirements of the Code of Federal Regulations Part 200 (Uniform Guidance) or 2 CFR 200.

To meaningfully affect the State of New Hampshire’s response to COVID-19 and to comply with CPF requirements, all expenditures under this program will end by December 31, 2026.

## B. Schedule

The following table provides a Schedule of Events for this RFP through contract finalization and approval. The Agency reserves the right to amend this Schedule at its sole discretion and at any time through a published Addendum.

EVENT	DATE	LOCAL TIME
RFP Released to Proposers (Advertisement)	5/20	
Proposer Inquiry Period Ends	5/27	3:00 PM
Final Agency Responses to Proposer Inquiries	6/3	3:00 PM
Proposers Submit Proposals	6/24	3:00PM
Estimate Timeframe for Proposer Oral Presentations and Interviews (if applicable)	6/29	TBD
Estimated Notification of Selection and Begin Contract Negotiations	7/8	

## Section 2 – Description of Agency/Program Issuing the Request for Proposals

The Department of Business and Economic Affairs, home of New Hampshire’s Broadband Office, is dedicated to enhancing the economic vitality of the State of New Hampshire while promoting it as a destination for domestic and international visitors. For more information visit [www.nheconomy.com](http://www.nheconomy.com) or [www.choosenh.com](http://www.choosenh.com).

## Section 3 – Proposed Scope of Work

The Agency seeks to collect data needed to create a mapping tool to assess and analyze the current state of broadband resources and connectivity in New Hampshire. The documentation created following the assessments and mapping will enable the agency to effectively deploy federal funding for broadband programming, assist communities for planning purposes and ensuring accessibility.

The vendor will need to identify and expand upon the following:  
Assessment

- Develop, publish, and maintain broadband maps on behalf of the State, which include but may not be limited to the following:
  - A fabric database of all locations in New Hampshire where fixed broadband<sup>1</sup> internet service is practicable;

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<sup>1</sup> For the purposes of this proposal, broadband is defined as consistently and reliably experiencing minimum speeds of 100 Mbps download and 20 Mbps upload (100/20).

- Assess the accuracy of current coverage areas claimed by existing fixed broadband providers;
- Assess the speed and latency claimed to be provided;
- Assess the range of service claimed by existing providers; and
- Document unserved<sup>2</sup>, underserved<sup>3</sup>, and served properties statewide.

#### Documentation and Development

- Document and maintain fiberoptic infrastructure maps, which shall include but may not be limited to the following:
  - An inventory of existing fiberoptic networks throughout the State;
  - Indication of deployment status and total wire capacity; and
  - Ownership and availability for use by other network providers.

The Agency is impartial to the product that is used to perform all mapping work included in this RFP but will require that the Proposer meet the following requirements:

- Host final mapping products on a public domain to be decided by the State;
- Continuously seek community feedback on the accuracy of all maps that are developed;
- Continuously reconcile maps with new information made available, including but not limited to the maps currently under development by the Federal Communications Commission (FCC); and
- Support seamless transition of map maintenance over to the State at the end of this contract and any of its extensions, as determined by the State.

Additionally, the Agency seeks to secure a purview of rights encompassing the following:

- A non-exclusive, perpetual license to the data that would be provided by the Proposer;
- Unlimited rights to access, prepare, use, copy, modify, reproduce, prepare derivative works, and distribute the data for internal use, including by and to any personnel, third-party contractors, and other entities granted the same license, as necessary, to accomplish goals of the broadband data collection;
- Rights to publish aggregate/derivative data, such as broadband coverage by county, municipality, or other State-defined boundary;
- Rights to publish and display data via an online map, or in reports or other static forms (e.g., PDF); and
- That these rights do not expire at the conclusion of any contract resulting from this proposal.

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<sup>2</sup> For the purposes of this proposal, unserved is defined as households without access to internet service.

<sup>3</sup> For purposes of this proposal, underserved is defined as households consistently experiencing speeds less than 100/20.

Finally, the Agency seeks the Proposer to provide a Summary of Approach to include but not be limited to:

- How the Proposer intends to gather the information required, as defined in Section 3 – Proposed Scope (e.g., data requests from internet service providers, E-911 data, etc.)
- How the Proposer will approach measuring and improving the completeness and accuracy of maps, including the fabric dataset, for initial map development and over time
- Detailed description of any software the Proposer intends to use to support the work outlined in this proposal;
- Detailed workplan documenting major milestones and timelines for each phase of the project, including but not limited to:
  - Data gathering
  - Drafting maps

## **Section 4 – Process for Submitting a Proposal**

### **A. Proposal Submission, Deadline, and Location Instructions**

Proposals submitted in response to this RFP must be received by the Department of Business and Economic Affairs no later than the time and date specified in the Schedule, herein. **Proposals must be submitted electronically.** Proposals must be sent to the RFP Points of Contact:

Hallie Pentheny

[Hallie.A.Pentheny@livefree.nh.gov](mailto:Hallie.A.Pentheny@livefree.nh.gov)

Emails pertaining to this proposal must be clearly marked as follows:

**STATE OF NEW HAMPSHIRE  
RESPONSE TO RFP BEA 2022-14  
New Hampshire Broadband Mapping**

Unless waived as an immaterial deviation in accordance with Section 6J, late submissions will not be accepted and will be returned to the proposers unopened. Delivery of the Proposals shall be at the Proposer's expense. The time of the receipt shall be considered when a Proposal has been officially documented by the Agency, in accordance with its established policies, as having been received at the location designated above. The Agency accepts no responsibility for misaddressed or mislabeled documents not delivered or undeliverable for whatever reason.

All Proposals submitted in response to this RFP must consist of:

- a) One original electronic copy of the Proposal

- b) One electronic copy of the Proposal with all Confidential Information fully redacted, as provided for in Section 7E of this RFP.

Proposers who are ineligible to bid on proposals, bids or quotes issued by the Department of Administrative Services, Division of Procurement and Support Services pursuant to the provisions of RSA 21-I:11-c shall not be considered eligible for an award under this proposal.

## **B. Proposal Inquiries**

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the RFP designated Points of Contact :

[Hallie.A.Pentheny@livefree.nh.gov](mailto:Hallie.A.Pentheny@livefree.nh.gov)

Inquiries must be received by the Agency's RFP Points of Contact no later than the conclusion of the Proposer Inquiry Period (see Schedule of Events section, herein). Inquiries received later than the conclusion of the Proposer Inquiry Period shall not be considered properly submitted and may not be considered.

The Agency intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section, herein; however, this date is subject to change at the Agency's discretion. The Agency may consolidate and/or paraphrase questions for sufficiency and clarity. The Agency may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Agency. Official responses by the Agency will be made only in writing by the process described above. Vendors shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

## **C. Restriction of Contact with Agency Employees**

From the date of release of this RFP until an award is made an announced regarding the selection of a Proposer, all communication with personnel employed by or under contract with the Agency regarding this RFP is forbidden unless first approved by the RFP Points of Contact listed in the Proposal Inquiries section, herein. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential contractor during the selection process, unless otherwise authorized by the RFP Points of Contact. Proposers may be disqualified for violating this restriction on communications.

## **D. Validity of Proposal**

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting Contract, whichever is later.

## **SECTION 5 – Content and Requirements for Proposal**

Proposals shall follow the below format and provide the required information set forth below:

### **Organization and Experience**

- Provide SAM number and proof of registration at [www.SAM.gov](http://www.SAM.gov)
- Complete “Contractor Data Sheet” (Attachment A).
- A written one-page introductory statement including:
  - Experience in providing services as described in Section 3.
  - Expertise of participating personnel including, but not limited to, those identified in Attachment A and a description of training and development programs that ensure all personnel assigned to contract are capable and qualified.
- Proposals must address strategy, tactics and budget of each item listed in Section 3: Scope of Work.
- Demonstrate the Offeror’s financial capability to provide the work described in Section 3: Scope of Work.
- Provide resumes/portfolios of individuals or subcontractors performing major duties and functions under the proposed contract; include role, responsibility, and qualifications.
- Demonstrate experience within the economic development/workforce sector.
- Provide relevant case studies.
- Financial Terms - Complete “Rates and Fees Schedule” (Attachment B).
- Standard Terms and Conditions of the State of New Hampshire-Form Number P-37 (Attachment C)
- A written description of mapping capabilities.
- An oral presentation of proposed strategy, methodologies, and execution (if requested).
- Provide at least four recent client references; include contract/service dates and contact information.

## **SECTION 6 – Evaluation of Proposals**

### **A. Criteria for Evaluation and Scoring**

Each responsive Proposal will be evaluated and considered with regard to the following criteria:

- Experience and Qualifications of key staff and subcontractors (30 points)
- Overall strategy and approach, methodology and timeline (50 points)
- Budget Approach/Cost Effectiveness (20 points)

## **Grand Total**

**(100 points)**

If the Agency, determines to make an award based on these evaluations, the Agency will notify the selected Proposer(s). Should the Agency be unable to reach agreement with the selected Proposer(s) during Contract discussions, the Agency may then undertake Contract discussions with the next preferred Proposer and so on, or the Agency may reject all proposals, cancel this RFP, or solicit new Proposals under a new acquisition process.

The Agency will select a Proposer based upon the criteria and standards contained in this RFP and from applying the weighting in this section. Oral interviews and reference checks, to the extent they are utilized by the Agency, will be used to refine and finalize scores.

### **B. Planned Evaluations**

The Agency plans to use the following process:

- Initial screening to ensure that the Proposals are in compliance with submission requirements;
- Preliminary evaluation of the Proposals;
- Oral interviews and Product Demonstrations (if necessary);
- Final Evaluation of Technical Proposals and scoring;
- Final Evaluation of [other categories] and scoring (If Applicable);
- Review of Price Proposals and final scoring;
- Best and Final Offer (BAFO) if appropriate; and
- Select the highest scoring Proposer (s) and begin contract negotiation.

### **C. Initial Screening**

The Agency will conduct an initial screening step to verify Proposer compliance with the technical submission requirements set forth in the RFP and the minimum content set forth in Section 5 of this RFP. The Agency may waive or offer a limited opportunity to cure immaterial deviations from the RFP requirements if it is determined to be in the best interest of the State.

### **D. Preliminary Technical Scoring of Proposals**

The Agency will establish an evaluation team to initially score the Technical Proposals. This evaluation team will review the technical proposals and give a preliminary score to the technical proposals under the guidelines set forth in Section 6. Should a Proposer fail to achieve 70 Points in the preliminary scoring, it will receive no further consideration from the evaluation team.

### **E. Oral Interviews and Product Demonstrations**

If the Agency determines that it is appropriate, proposers may be invited to oral interviews and/or product demonstrations including demonstrations of any proposed automated systems or technology components. The Agency retains the sole discretion to determine whether to conduct oral interviews, with which proposers; and the number of interviews. Proposers are advised that the Agency may decide to conduct interviews with less than all responsive proposers.

The purpose of oral interviews and product demonstrations is to clarify and expound upon information provided in the written Proposals. Proposers are prohibited from altering the basic substance of their Proposals during the oral interviews and product demonstrations. The Agency may ask the Proposer to provide written clarifications of elements in their Technical Proposal regardless of whether it intends to conduct Oral Interviews.

Information gained from oral interviews and product demonstrations will be used to refine technical review scores assigned from the initial review of the Proposals.

## **F. Final Technical Scoring of Proposals**

Following Oral Interviews, Product Demonstrations, Reference Checks (if appropriate) and/or review of written clarifications of proposals requested by the Agency, the evaluation team will determine a final score for each Technical Proposal.

## **G. Final Selection**

The Agency will conduct a final selection based on the final evaluation of the initial proposals or, if requested, as a result of the Best and Final Offer and begin contract negotiations with the selected Proposer(s).

## **H. Rights of the Agency in Accepting and Evaluating Proposals**

The Agency reserves the right to:

- Make independent investigations in evaluating Proposals;
- Request additional information to clarify elements of a Proposal;
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State;
- Omit any planned evaluation step if, in the Agency's view, the step is not needed;
- At its sole discretion, reject any and all Proposals at any time; and
- Open contract discussions with the second highest scoring Proposer and so on, if the Agency is unable to reach an agreement on Contract terms with the higher scoring Proposer(s).



## **SECTION 7 – Terms and Conditions Related to the RFP Process**

### **A. RFP Addendum**

The Agency reserves the right to amend this RFP at its discretion, prior to the Proposal submission deadline. In the event of an addendum to this RFP, the Agency, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.

### **B. Non-Collusion**

The Proposer's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and work quoted have been established without collusion with other Proposers and without effort to preclude the Agency from obtaining the best possible competitive Proposal.

### **C. Property of the Agency**

All material received in response to this RFP shall become the property of the State and will not be returned to the Proposer. Upon Contract award, the State reserves the right to use any information presented in any Proposal.

### **D. Confidentiality of a Proposal**

Unless necessary for the approval of a contract, the substance of a proposal must remain confidential until the Effective Date of any Contract resulting from this RFP. A Proposer's disclosure or distribution of Proposals other than to the Agency will be grounds for disqualification.

### **E. Public Disclosure**

Pursuant to RSA 21-G:37, all responses to this RFP shall be considered confidential until the award of a contract. At the time of receipt of proposals, the Agency will post the number of responses received with no further information. No later than five (5) business days prior to submission of a contract to the Department of Administrative Services pursuant to this RFP, the Agency will post the name and rank or score of each proposer. In the event that the contract does not require Governor & Executive Council approval, the Agency shall disclose the rank or score of the Proposals at least five (5) business days before final approval of the contract.

The content of each Proposer's Proposal shall become public information upon the award of any resulting Contract. Any information submitted as part of a response to this Request for Proposal may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via

the website Transparent NH (<http://www.nh.gov/transparentnh/>). However, business financial information and proprietary information such as trade secrets, business and financial models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to this Request for Proposal, bid or information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to the Agency, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as “CONFIDENTIAL”. A designation by the Proposer of information it believes exempt does not have the effect of making such information exempt. The Agency will determine the information it believes is properly exempted from disclosure. Marking of the entire Proposal or entire sections of the Proposal (e.g., pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Proposer pricing will be subject to disclosure upon approval of the Contract. The Agency will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to the Agency to view portions of a Proposal that the Proposer has properly and clearly marked confidential, the Agency will notify the Proposer of the request and of the date that Agency plans to release the records. By submitting a Proposal, Proposers agree that unless the Proposer obtains a court order, at its sole expense, enjoining the release of the requested information, the Agency may release the requested information on the date specified in the Agency’s notice without any liability to the Proposers.

## **F. Non-Commitment**

Notwithstanding any other provision in this RFP, this RFP does not commit the Agency to award a Contract. The Agency reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

## **G. Proposal Preparation Cost**

By submitting a Proposal, a Proposer agrees that in no event shall the Agency be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting Contract.

## **H. Ethical Requirements**

From the time this RFP is published until a contract is awarded, no bidder shall offer or give directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or

similar submission. Any bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any bidder who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from bidding on the RFP, or similar request for submission and every such bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the Department of Administrative Services, which shall note that information on the list maintained on the State's internal intranet system, except in the case of annulment, the information shall be deleted from the list.

### **I. Challenges on Form or Process of the RFP**

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of the Agency at least ten (10) business days prior to the Proposal Submission Deadline. By submitting a proposal, the Proposer is deemed to have waived any challenges to the Agency's authority to conduct this procurement and the form and procedures of this RFP.

## **Section 8 – Contract Terms and Award**

### **A. Non-Exclusive Contract**

Any resulting Contract from this RFP will be a non-exclusive Contract. The State reserves the right, at its discretion, to retain other Contractors to provide any of the Services or Deliverables identified under this procurement or make an award by item, part or portion of an item, group of items, or total Proposal.

### **B. Award**

If the State decides to award a contract as a result of this RFP process, any award is contingent upon approval of the Contract by Governor and Executive Council of the State of New Hampshire and upon continued appropriation of funding for the contract.

### **C. Standard Contract Terms**

The Agency will require the successful bidder to execute a Not to Exceed Contract using the Standard Terms and Conditions of the State of New Hampshire which is attached as Attachment B.

The Term of the Contract will be upon Governor and Executive Council approval through December 31, 2026. The contract term may be extended at the sole option of the State, subject to the parties' prior written agreement on terms and applicable fees for each extended term, contingent upon satisfactory vendor performance, continued funding and Governor and Executive Council approval.

To the extent that a Proposer believes that exceptions to the standard form contract will be necessary for the Proposer to enter into the Agreement, the Proposer should note those issues during the Proposer Inquiry Period. The Agency will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion. If the Agency accepts a Proposer's exception the Agency will, at the conclusion of the inquiry period, provide notice to all potential proposers of the exceptions which have been accepted and indicate that exception is available to all potential proposers. Any exceptions to the standard form contract that are not raised during the proposer inquiry period are waived. In no event is a Proposer to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.