



RESPONSES TO BIDDER INQUIRIES; CLARIFICATION OF RFP

March 16, 2018

New Hampshire Vaccine Association (“NHVA”) received four inquiries from potential bidders seeking clarification of Request for Proposal #NHVA2018 dated February 26, 2018 (the “RFP”). Because the NHVA responses may modify the terms of the RFP, this Response document is being distributed to all recipients of the RFP. To the extent that the NHVA responses below are inconsistent with the terms of the RFP, the responses below will govern.

Question #1: In reviewing the RFP document, we request clarification if NHVA requires that our response have two distinct cost proposals- one for the Management Services and one for the Assessment Administrator Services? We had intended to issue a response with one combined cost amount. We seek confirmation that this combined response would be acceptable under the RFP conditions or if we need to prepare a “split” cost response.

NHVA Response: NHVA is requesting a single, comprehensive cost proposal to cover both the Management Services and the Assessment Administrator Services (collectively the “Services”). NHVA seeks to engage only one entity to provide the Services. If any Services will be performed by a subcontractor, NHVA requires information about the subcontractor as described in the RFP, but the successful bidder will remain responsible for the performance of any Services by subcontractors.

Question #2: In reviewing the RFP document, we request clarification regarding the liability insurance coverage desired of us by NHVA. We note that the RFP requests both Professional Liability Coverage AND General Liability coverage of \$1 Million per Occurrence and \$3 Million Aggregate. Our experience is that the \$1M/\$3M coverage amounts are typical for Professional Liability but that for General Liability more typical are policies that provide for \$1 Million per Occurrence and \$2 Million Aggregate. We request clarification on whether \$1M/\$2M is acceptable for General Liability coverage or whether the \$1M/\$3M is required for General Liability insurance as well as Professional Liability.

NHVA Response: NHVA agrees that limits of \$1 Million per Occurrence and \$2 Million in the Aggregate are acceptable for General Liability coverage. The limits for Professional Liability coverage will remain at \$1 Million per Occurrence and \$3 Million in the Aggregate. Bidders should consider this response to be a modification to the original terms of the RFP.

Question #3: Your proposed contract includes requirements both for INSURANCE and INDEMNIFICATION. Can this [INDEMNIFICATION] provision be eliminated from the contract?

NHVA Response: NHVA has considered this request, and is modifying the INDEMNIFICATION provision in Appendix E of the RFP to read as follows:

INDEMNIFICATION: Administrator agrees that it will defend, indemnify, and hold harmless NHVA and its directors, officers, and agents from and against any and all claims, actions, suits, proceedings, liabilities, losses, demands, judgments, and expenses (including court costs and reasonable attorneys' fees) arising out of: (i) the willful or wanton misconduct of Administrator, its employees (including without limitation the Executive Director), agents or subcontractors, including without limitation any act which it commits knowingly and which is outside the scope of its duties under this Agreement, or (ii) the failure knowingly to comply with the provisions of the NHVA Plan of Operation. This provision will survive the termination of this Agreement.

Please note that it will be important to NHVA that the successful bidder will obtain the requested insurance coverage, and that NHVA will be named an additional insured and/or loss payee, as appropriate.

Question #4: Will NHVA reconsider the requirement that bidder financial statements be submitted with the proposal? Will NHVA execute a confidentiality agreement with respect to this and other non-public information submitted in response to the RFP?

NHVA Response: In response to this inquiry, NHVA is modifying the RFP as follows. The following sentence is deleted from Section III (G) of the RFP: "~~Provide audited or reviewed financial statements for your company for the prior two (2) fiscal years.~~" Instead, NHVA will reserve the right, in its reasonable discretion, to request and review (either by receipt of copies or on-site) information and documentation that sufficiently demonstrates that the respondent has the financial capacity to perform the Services under the terms of the contract with NHVA. NHVA is willing to execute a mutually-acceptable confidentiality agreement with the respondent if NHVA requests a review of financial or other proprietary information.

Additional Information: NHVA provides the following information for the quarterly reporting period ending February 15, 2018 to better inform respondents regarding the scope of the Assessment Administrator Services:

Number of Reporting Assessable Entities	Assessable Lives Reported	Aggregate Assessment Due for the Quarter
90 (17 of which reported zero assessable lives)	491,021	\$5,056,815.83