

**REQUEST FOR PROPOSALS #  
ADVERTISING AND MARKETING SERVICES**

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Questions will be received until January 24, 2020, 5:00PM EDST

Proposals will be received until February 12, 2020, 3:00PM EDST,

**REQUEST FOR PROPOSALS (RFP) #20115  
ADVERTISING AND MARKETING SERVICES**

**SECTION 1: GENERAL INFORMATION AND STANDARD TERMS AND CONDITIONS**

1.1 Purpose: The West Virginia Higher Education Policy Commission (Commission) and West Virginia Council for Community and Technical College Education (Council) are seeking competitive proposals from qualified vendors for a full-service advertising agency to work collaboratively as a partner in producing successful advertising and marketing services for their financial aid programs and student-focused initiatives.

1.2 Schedule of Events:

Release of RFP:	January 16, 2020
Question Deadline:	January 24, 2020 by 5:00PM EDST
Addendum/Response to Questions:	January 29, 2020
Proposal Due Date:	February 12, 2020 by 3:00PM EDST
Target Award Date:	March 25, 2020

1.3 Vendor's Point of Contact: The sole point of contact for questions, clarification and inquiries concerning this Request for Proposal (RFP) is:

Mary Blashford, Director of Procurement  
1018 Kanawha Blvd., E, Suite 700  
Charleston, WV 25301  
E-mail: [mary.blashford@wvhepc.edu](mailto:mary.blashford@wvhepc.edu)  
Phone: 304-558-0281 Ext. 241 Fax: 304-558-0259

1.4 Posting of Information: This RFP and any addenda, including answers to questions, will be posted to: <http://www.wvhepc.edu/resources/purchasing-and-finance/>.

1.5 Questions and Answers: Questions concerning this RFP will be received in writing (via e-mail is acceptable) by the point of contact until the deadline identified in Section 1.2. When submitting questions by e-mail, please reference RFP 20115 in the subject line. Questions, if any, will be answered by addendum and posted to the webpage identified in Section 1.4 above.

1.6 Proposal Submission: Deliver an original and three (3) copies of the proposal on or before the date required in Section 1.2. The outside of the envelope should be clearly marked with the RFP number, the bid opening date/time and the Director of Procurement's name.

In addition, a digital copy of the proposal should be submitted; the preferred method for submission of the digital copy is by flash/thumb drive which should be included with the original bid.

**Proposals received after the due time and date will not be considered. It is the vendor's sole responsibility to ensure timely delivery of the proposal.**

1.7 Proposals shall remain in effect for a minimum of ninety (90) days from the submission date.

1.8 Conflict of Interest: By signing the proposal, the vendor affirms that it and its' officers, members and employees have no actual or potential conflict of interest, beyond the conflicts disclosed in its' proposal. Vendor will not acquire any interest, direct or indirect, that would conflict or compromise in any manner or degree with the performance of its services under this contract. If any potential conflict is later discovered or if one arises, the vendor must disclose it to the Commission/Council promptly.

1.8 Independent Proposal: A proposal will not be considered for award if the price in the proposal was not arrived at independently, without collusion, consultation, communication or agreement as to any matter relating to such prices with any other offer or with any competitor. The price quoted in the vendor's proposal will not be subject to any increase and will be considered firm for the life of the contract unless specific provisions have been provided for adjustment in the original contract.

1.9 Rejection of Proposals: The Director of Procurement reserves the right to accept or reject any or all proposals, in part or in whole, at her discretion. The Director reserves the right to withdraw this RFP at any time for any reason. Submission of, or receipt by, the Director confers no rights upon the vendor nor obligates the Commission/Council in any manner.

1.10 Expenses: The Commission/Council will not be held liable for any expenses incurred by any vendor responding to this RFP including expenses to prepare or deliver the proposal or attend any oral presentation.

1.11 Interviews: Discussions and/or interviews may be held with the vendors under final consideration prior to making a selection for award; however, the RFP may be awarded without such discussions or interviews.

1.12 Oral Statements and Commitments: Any oral representations made or assumed to be made during discussions held between the vendor's representatives and the Commission/Council personnel are not binding. Only the information issued in writing and/or added to the RFP by an official written addendum is binding.

1.13 Award: It is anticipated that a single contract will be awarded for all services. However, the Commission/Council reserves the right to configure the contract in whatever manner is in its' best interests.

1.14 Public Record: All documents submitted in response to the RFP and any documents created as a result of this RFP are considered public record. All bids, proposals or offers submitted shall become public information and will be available for inspection during normal business hours at the Commission/Council.

The only exception for public record is disclosure information listed in WV Code § 29B-1-4. Primarily, only trade secrets are considered exempt from public disclosure.

1.15 Contract: The RFP and the vendor's response will be incorporated into the contract by reference. The order of precedence is the contract, the RFP and any addendum and the vendor's proposal in the response to the RFP.

1.16 Contract Term: This contract will be effective upon award and shall extend for a period of three (3) years. By mutual consent of the vendor and the Commission/Council, the contract may be renewed for an additional two (2) one (1) year periods.

1.17 Contract Changes: Any changes to the original contract will be made via a Change Order issued by the Commission/Council. No change is official until a signed Change Order is produced.

1.18 Contract Termination for Unavailability of Funds. If funds are not appropriated or allocated for the services provided under this contract, the Commission/Council may terminate the contract at the end of the affected current fiscal period without charge or penalty. The Commission/Council shall give the vendor written notice of such non-appropriation or non-allocation of funds as soon as possible after the Commission/Council receives notice.

1.19 Contract Termination for Failure to Perform: The Commission/Council may terminate the contract resulting from this RFP immediately at any time the vendor fails to meet the terms of the contract.

1.20 Payment of fees will be made upon successful completion of the required services. Progress payments for services satisfactorily completed may be made pursuant to a payment schedule which is deemed satisfactory to the Commission/Council and is included in the vendor's response to this RFP.

1.21 Invoices: The vendor shall submit invoices in arrears. State law prohibits payment of invoices prior to receipt of services. State law does not provide for interest payments on late payments. Invoices properly prepared and submitted in accordance with the terms and conditions of the contract are usually paid within thirty (30) days.

1.22 Governing Law: This contract shall be governed by the laws of the State of West Virginia.

## **SECTION 2: ELIGIBILITY REQUIREMENTS**

2.1 Vendor Registration – WV Code § 5A-3-12. The West Virginia Code requires that all vendors be registered with the WV Department of Administration, Purchasing Division, prior to receiving a purchase order for competitive products and/or services exceeding \$25,000. See Exhibit A.

2.2 Debarment – WV Code §5A-3-33 through §5A-3-33F. Vendors that have been debarred by the federal government are not eligible to offer on or receive contracts to supply goods or services to the state and its subdivision for a specified period of time.

2.3 West Virginia Secretary of State. The vendor must be in compliance with the Secretary of State and should provide a copy of their business license with the proposal. For more information, contact the WV Secretary of State.

2.4 Taxpayer Identification Information. The Internal Revenue Service (IRS) requires the Commission/Council to request a taxpayer identification number (TIN) for tax reporting purposes. IRS Form W9 is used to obtain this information. See Exhibit B.

2.5 Purchasing Affidavit – WV State Code §5A-3-10a. WV State Code requires all vendors to submit an affidavit regarding any debt owed to the State. The Affidavit (Exhibit C) should be completed, signed and returned with the vendor's proposal.

2.6 RFP Response Title Page – The Title Page includes the RFP Number, Addenda Received check boxes, the Vendor's business name, business address and telephone number, a contact name and e-mail address and includes a signature line and date for the individual authorized to obligate the business. See Exhibit D.

### **SECTION 3: BACKGROUND INFORMATION**

3.1 Purpose: The West Virginia Higher Education Policy Commission (Commission) and West Virginia Council for Community and Technical College Education (Council) are seeking competitive proposals from qualified vendors for a full-service advertising agency to work collaboratively as a partner in producing successful advertising and marketing services for their financial aid programs and student-focused initiatives.

3.2 Agency/Institution Information: The Commission serves as the coordinating board for the state's four-year public higher education system. The agency also administers more than \$100 million in state need- and merit-based student financial aid programs, including the PROMISE Scholarship, the West Virginia Higher Education Grant Program (HEGP), the Higher Education Adult Part-Time Student (HEAPS) grant, and the Underwood-Smith Teaching Scholars Program. The Council serves as the coordinating body for the state's two-year community and technical colleges. Among other statewide programs, the Council administers the new West Virginia Invests Program, a last-dollar-in grant program that covers full tuition and fees at two-year institutions. All these programs fall under the umbrella of West Virginia's Climb initiative, which seeks to arm 60 percent of working-aged West Virginians with a credential beyond high school by 2030.

### **SECTION 4: SCOPE OF SERVICES**

The contractor's primary responsibility is to develop and implement advertising programs following the direction provided by the Commission and Council. The Commission and Council will include the contractor in all phases of marketing planning and idea generation to provide the

contractor with as much information as possible, and to benefit from the contractor's experience, creativity, and knowledge.

Contractor responsibilities will include, but will not be limited to:

- Strategic advertising and promotional planning;
- Print, broadcast, and promotional creative planning and execution;
- Print, broadcast, and promotional materials production;
- Print and broadcast media planning and execution;
- Digital and social media planning and execution;
- Direct marketing consultation;
- Public relations expertise in the area of event planning;
- Website consultation and creative application;
- Budget control and shared responsibility for cost control;
- Assisting with agency-led events; and,
- Providing analysis, advice, and support for key Commission and Council programs and initiatives.

The contractor's primary focal areas will include the following programs and initiatives, with priority programs listed first and in detail, followed by additional programs that will require lesser support throughout the duration of the contract.

### ***Priority Programs***

#### **Underwood-Smith Teaching Scholars Program**

**Priority application deadline: TBD**

**Application available: [teachinwv.com](http://teachinwv.com)**

The Underwood Smith Teaching Scholars Program invites high-achieving high school seniors from within the state and across the country to apply for one of 25 annual slots. To address the teacher shortage crisis, these scholars commit to teaching in a high-demand field in West Virginia and, in exchange, receive a \$10,000 annual scholarship (up to \$40,000 over four years), a paid professional mentor, and opportunities for professional development.

The application requires submission of high school transcripts, a short essay, the FAFSA and a brief video demonstrating the applicant's passion for and interest in a teaching career. A select committee of education administrators and teachers are responsible for reviewing applications and filling the annual cohort of 25 scholars, who must also apply and be accepted into a teacher education program at a participating institution.

Each scholar will be matched to a practicing classroom teacher (mentor), who will maintain regular contact with scholars, provide opportunities for classroom observation, and serve as primary points of contact for scholars who are struggling in class or need help identifying professionals within an institution to assist with problems. To broaden their content knowledge, collaborate with peers, and refine their craft, each scholar will

also be required to participate in at least one approved professional development activity annually.

Following graduation, scholars will be required to serve for five consecutive years as full-time teachers in West Virginia in approved high-demand fields of the state experiencing critical teacher shortages. For those who do not fulfill their teaching commitment, the scholarship will be converted into a student loan that must be repaid.

### **West Virginia Invests**

**Application deadline: rolling**

**Application available: [wvinvests.org](http://wvinvests.org)**

West Virginia Invests is a financial aid program designed to cover the cost of basic tuition and fees for certificate or associate degree programs in specific high-demand fields at participating West Virginia public institutions. This is a last-dollar-in program, meaning that it covers any amount up to the total cost of tuition and fees that isn't already covered by other state or federal grants or scholarships or institutional tuition waivers.

Qualifying students must be a legal resident of West Virginia for at least one year immediately before applying; be a U.S. citizen or eligible non-citizen for federal financial aid; be a graduate of a public, private or homeschool program, or have successfully passed a high school equivalency test; have not already earned a college degree; have not attempted ninety (90) or more college credits; be in compliance with the college's satisfactory academic progress policy, and maintain at least a 2.0 cumulative grade point average for renewal; have completed the Free Application for Federal Student Aid (FAFSA); not be in default on a federal student loan; are willing to make a commitment to improving the state by living in West Virginia for at least two years after graduation or no longer enrolled at least half-time and completing at least two hours of unpaid community service each academic term; meet the minimum admissions requirements at an eligible institution and register for at least six credit hours; and, pay for and pass a drug screening before the start of each academic term.

Ten public institutions with 27 campuses located across the state are participating in West Virginia Invests. Following other financial aid, the grant covers tuition and fee costs for certificate and associate degree programs in certain high demand fields, as identified by the West Virginia Department of Commerce, in areas ranging from welding to medical coding to hospitality.

Recipients are not required to repay the funding if they live in West Virginia for at least two years after graduating or no longer being enrolled at least half-time. If they do not complete the two-year residency requirement, the grant is converted into a student loan that they are required to pay back.

### **West Virginia's Climb**

**[wvclimb.com](http://wvclimb.com)**

With less than one-third of West Virginians holding an associate degree or higher, West Virginia's public higher education institutions are working around a collective goal to

equip residents with the training and skills they need to land good, high-paying jobs. Through West Virginia's Climb initiative, which is a collaborative effort between the Commission, Council, West Virginia Department of Education, WorkForce West Virginia, and the private sector, the goal is to equip 60 percent of the state's workforce with a formal credential beyond high school by 2030 – which, studies show, is the attainment level needed for the state to meet future workforce demands. This would nearly double the percentage of working-aged West Virginians with a postsecondary education over the next decade. Each of West Virginia's financial aid programs and efforts support this overall goal to increase the state's educational attainment rate.

### **Apprenticeships in Motion**

The Council and its nine colleges were awarded a grant in 2019 from the U.S. Department of Labor for Apprenticeships in Motion (AIM), which trains and places apprenticeships in middle- to high-skilled IT occupations. Working with industry partners and employers, the AIM program is designed to grow a workforce to fill the state's IT industry skills gap and expand the number of businesses participating in West Virginia's Learn and Earn Program, which matches wages with employers that hire students pursuing certificates of associate degrees.

### ***Additional Programs and Initiatives***

#### **PROMISE Scholarship Program**

**Application becomes available October 1.**

**Application and FAFSA filing due March 1.**

A merit-based scholarship for qualifying West Virginia high school graduates.

#### **West Virginia Engineering, Science and Technology Scholarship**

**Application becomes available October 1.**

**Application due March 1; students must reapply every year.**

A scholarship available to qualified students interested in pursuing an education in engineering, science or technology.

#### **West Virginia Higher Education Grant**

**The FAFSA serves as the application.**

**Available on or after October 1 and must be filed by April 15.**

Awarded based on financial need.

#### **Higher Education Adult Part-Time Student Grant Program (HEAPS)**

**Applications accepted on a rolling basis beginning July 1.**

**Part-time applications are available through the colleges**

A need-based grant for adult students enrolled on a part-time basis or in an eligible workforce program. Workforce has an application available starting July 1. Students apply through the colleges for HEAPS part-time grant funds.



**West Virginia Health Sciences Service Program**  
**Application due by October 15.**

A service-obligation scholarship for health profession students interested in primary care and rural health in West Virginia.

**West Virginia Nursing Scholarship Program**  
**Applications accepted from April 15-June 1.**

A range of scholarship/loan opportunities to assist current and future West Virginia nursing professionals with their education.

**Choose West Virginia Practice Program**  
**Application due November 1.**

A tuition waiver program that incentivizes nonresident West Virginia medical students to remain in West Virginia to practice.

**Underwood-Smith Teacher Loan Repayment Program**

Loan assistance program available to teachers and school counselors agreeing to teach or serve full-time in West Virginia in an area of critical need and in geographic areas of the state experiencing critical shortages of teachers or counselors.

**FAFSA Completion Campaign**

A Commission- and Council- led initiative to encourage more high school seniors to complete the Free Application for Federal Student Aid (FAFSA).

**ASAP Replication Program**

An Arnold Ventures-funded pilot program at Blue Ridge Community and Technical College and West Virginia University at Parkersburg to provide support services to students as they work toward their credentials.

**SECTION 5: MANDATORY BID REQUIREMENTS**

**The requirements below must be met for the vendor to be eligible to submit a response to this RFP.**

5.1 The vendor must have the professional capability to develop and maintain successful marketing campaigns, including a minimum of at least one fulltime employee to serve as an account representative for the Commission/Council.

5.2 The vendor must have a minimum of three (3) years' experience in marketing, strategic analysis, media planning, media placement, creative services, production, public relations, research analysis and promotions.

5.3 The vendor must have provided marketing and/or promotional services similar to the services described in this RFP with at least one client.

5.4 The vendor must comply with a time schedule satisfactory to the Commission/Council in which the Advertising Services occur.

5.5 All content, layouts, sketches, artwork and copies, including but not limited to advertising copy, film, typesetting, photocopies, story boards and computer data storage devices used in the advertisements or other materials developed or placed by the vendor for the Commission/Council during the term of this RFP shall become the exclusive property of the Commission/Council.

5.6 The vendor shall process all payments necessary to perform the Advertising Services described in this RFP. The vendor shall maintain appropriate accounting and record keeping activities to document and substantiate all media placed under this RFP. The vendor shall submit invoices accompanied by proof of payment, screen shot and/or tear sheets. Tear sheets shall be signed certifying the run dates, publications and the site of the ad(s).

5.7 At the request of the Commission/Council, the vendor will travel to and from the Council/Commission's office. All travel-related expenses incurred are the responsibility of the vendor and are not reimbursable.

5.8 Prior to the commencement of work on any project, the vendor will provide the Commission/Council with cost estimates to include personnel hours, outsourced services, materials and any other related expenses. The cost for providing such assistance will be in accordance with the cost estimates set forth in the proposal.

5.9 Vendor's media buy markup fee must not exceed 3% of the price paid for the media buy.

5.10 Vendor must provide a separate sealed envelope labeled "Pricing Information". **Failure to do so will result in disqualification of the vendor's bid.**

## **SECTION 6: DESIRABLE BID REQUIREMENTS**

**The bid requirements in the following two sub-sections will be included in the evaluation process with points assigned by the Evaluation Committee.**

### **6.1 Creative Services**

The contractor will be responsible for the creation and production of advertising materials, including print and broadcast advertisements, digital advertising, email alerts, outdoor/transit advertising, direct mail, and other materials that may be required by the Commission and Council in their administration of the above-mentioned programs and initiatives. These Services include:

#### **6.1.1 Media Services**

- Develop a comprehensive media plan to generate effective statewide advertising reach and frequency to the audiences of the Commission and Council, including prospective college students, parents and families, and existing college students.
- Plan, negotiate, buy, traffic, and evaluate all media placement.
- Assist as needed in the development and evaluation of miscellaneous media opportunities offered to or sought by the Commission and/or Council.

#### 6.1.2 Media Planning

- Analyze annual advertising budgets and develop media plans to produce maximum effectiveness for each dollar expended.
- Share each proposed media buy with the Commission and/or Council for approval. Each proposed buy should include all necessary scheduling details, including the station, program and/or day and time, time period, target rating points estimated, number of spots, cost per spot, and cost per rating point.

#### 6.1.3 Negotiation and Placement

- Negotiate, purchase, and instruct the placement of all media time and space.
- Obtain Commission and/or Council approval prior to each media buy.
- Make the Commission and/or Council aware of any savings that might be achieved through long-term commitments or special programs.
- Attempt to negotiate free bonus spots or print, digital, or website advertising from all outlets and publications included in a media buy.
- Any bonus spots, print, digital, and/or web advertising provided by stations, newspapers, or publications must be identified in the media buy summary and approved by the Commission and/or Council.
- The value of bonus spots must be calculated as a savings to the Commission and/or Council.

#### 6.1.4 Placement Verification

- Implement a system to ensure that all media is run or published according to any contracts or placement instructions. Documentation must be provided.
- Notify the Commission and/or Council before approving any changes for ads that did not run as scheduled.

#### 6.1.5 Post-Buy Analysis

- Conduct post-buy analysis and audit placement of media on a quarterly basis or on a per-buy basis as directed by the Commission and/or Council.
- Audit should focus on the measure of effectiveness of media buys in terms of cost, reach, frequency, continuity, and message delivery.
- Report findings to the Commission and/or Council and use findings to refine current and future media plans.

#### 6.1.6 Digital Services

- Assist with developing Commission and/or Council website graphics and promotions related to programs within the scope of work.
- Develop and place digital advertisements.
- Assist with the expansion of Commission and/or Council social media platforms.

## 6.2 Advertising and Marketing Services

The vendor will be responsible for providing full advertising and marketing services, working in tandem with the Commission and/or Council marketing staff in planning, designing, and executing all activities. These services include:

- Strategic planning
- Account management
- Creative development
- Media planning and buying
- Production planning and execution
- Public relations
- Digital media
- Social media
- Consumer research
- Direct marketing
- Special event marketing and planning
- Overall experience with key demographics: high school students, college students, parents and families
- Other special abilities

6.2.1 Provide a written description (suggested maximum of two pages for each section, not including samples) outlining your experiences and how you will provide full-service capabilities in each of the areas listed above.

6.2.2 Provide a clear and succinct narrative of not more than 10 pages, excluding creative samples, describing a complete advertising/marketing campaign produced within the last three years representative of its work from start to finish. The narrative should include:

- Name of client and date of campaign
- Key facts from background, market research analysis, budget allocation, etc.
- Identification of problems and opportunities
- Advertising objective
- Creative strategy positioning
- Creative execution through media channels
- Media plan/summary
- Evaluation of campaign results
- Description of how you worked with the client's marketing point of contact

## **SECTION 7: VENDOR INFORMATION AND QUALIFICATIONS**

Provide a statement/response to each of the following:

7.1 Identify and provide a statement of qualifications of individuals to be assigned

direct responsibility for the services.

7.2 Describe the experience that key personnel have, their length of service with the firm, as well as other relevant skills.

7.3 Describe the Firm's size and financial stability, illustrating its ability to fulfill the terms of the RFP.

7.4 Describe any related experience that has been provided in the last five (5) years.

7.5 Provide the names, telephone numbers and mailing addresses of at least three (3) clients and the contact person from whom references may be obtained for both the firm and the key personnel assigned to the engagement. References should be from clients comparable to the type and scope of services solicited in this RFP. Preference may be given to vendors with Higher Education experience.

## **SECTION 8: VENDOR RESPONSE AND EVALUATION CRITERIA**

8.1 Economy of Preparation: Proposals should be prepared simply and economically, providing a straightforward, concise description of the vendor's ability to satisfy the requirements of the RFP. Emphasis should be placed on completeness and clarity of content.

8.2 Proposals should be limited to one hundred (100) pages. Additional material may be presented as attachments to the main proposal.

8.3 Proposal Format: Vendors should provide responses in the format listed below:

8.3.1 A Title Page (Exhibit D) should be provided. The Title Page is the preferred method of providing the vendor's information. If the vendor does not utilize the Title Page, the bid must provide a cover letter with, at a minimum, the signature of an individual authorized to obligate the company and a date.

8.3.2 Table of Contents. Clearly identify the material by section and page number.

8.3.3 Mandatory Requirement Checklist (Exhibit E). Clearly identify if the Mandatory Requirement is met and include a page reference as to where it is addressed in the bid.

8.3.4 Creative Requirement Checklist (Exhibit F). Clearly identify, by page reference, where the information relating to each Creative Services Requirement is addressed in the bid.

8.3.5 Advertising and Marketing Services Requirement Checklist (Exhibit G). Clearly identify, by page reference, where the information relating to each Advertising and Marketing Services Requirement is addressed in the bid.

8.3.6 Vendor Response to the RFP illustrating your understanding of the RFP and the services being requested.

8.3.7 Cost for services should be provided on the Cost Sheet provided in Exhibit H.

**NOTE: ALL PRICING INFORMATION IS TO BE PROVIDED IN A SEPARATE SEALED ENVELOPE LABELED AS PRICING INFORMATION (SEE SECTION 5.9.10).**

8.4 Proposal Evaluation. The proposal will be evaluated on a one hundred (100) point scale with points assigned as outlined below. **Vendor must score a minimum of 70% (49 points) to be considered a qualifying proposal.**

8.4.1 Qualifications, Experience and Company Background – 30 points

Responses to Section 7 will be reviewed and evaluated here.

8.4.2 Services – 40 points

Responses to Section 6 will be reviewed and evaluated here.

8.4.3 Price – 30 points

The low bid will receive the full 30 points. Each higher bid will receive a percentage of the 30 points on a ratio basis compared to the low bid cost.

8.5 Award will be made to the vendor receiving the highest point total.

8.6 In the event that mutually acceptable terms cannot be reached within a reasonable period of time, with the highest ranked vendor, the Commission/Council reserves the right to undertake negotiations with the next highest ranked vendor and so on until mutually acceptable terms can be reached.

**SECTION 9: ADDITIONAL INFORMATION**

9.1 By submitting a proposal in response to this RFP, a firm shall be deemed to have accepted all the terms, conditions, and requirements set forth in herein unless otherwise clearly noted and explained in writing. Any exception(s) or additional terms and conditions a firm wishes to offer for consideration must be clearly itemized and explained. Otherwise, the RFP in total shall be incorporated into the contract by reference. The Systems may accept or reject the Firm's proposed exceptions as it deems appropriate and in the best interests of the Systems.

9.2 The State's Agreement Addendum (WV-96) is attached to demonstrate the State law and guidelines which must be adhered to in any contracts presented to the Systems for execution (See Exhibit H). A copy of additional terms and conditions that a firm wishes to offer for consideration should be enclosed with the proposal. The West Virginia Attorney General's Office must accept or reject proposed modifications to the WV-96.