



TEXAS

Health and Human Services

Stephanie Muth, Executive Commissioner

**Request for Offer (RFO) for
Service Desk and Deskside Support Services
RFO No. HHS0017021**

Date of Release: October 06, 2026

Responses Due: [Refer to Section 3.1 \(Schedule of Events\)](#)

NIGP Class/Item Codes

920-31 - Installation of Computers, Peripherals, and Related Equipment (Including Software)

920-47 - Support Services, Computer, Includes Computer Warranties

958-23 - Computer Management Services

961 – 02 Administrative Services, All Kinds

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ARTICLE I. INTRODUCTION, DEFINITIONS, AND AUTHORITY

1.1 INTRODUCTION

The State of Texas, by and through the Texas Health and Human Services Commission (HHSC), is seeking a qualified Contractor to provide Managed Services Staff to supplement the provision of IT Service Delivery & Support (ITSDS) and Deskside Support (DSS) by State employees.

HHSC Procurement Contracting Service (PCS) will administer the procurement process for this Solicitation, which includes Solicitation publication, handling of communications from vendors, as well as managing the receipt of Solicitation Responses for review and evaluation.

To be considered for award, a Respondent must execute **Exhibit A, HHS Solicitation Affirmations** and provide all other required information and documentation as set forth in this Solicitation.

Information regarding HHSC and its programs is available online and can currently be accessed at HHSC <https://hhs.texas.gov>.

1.2 DEFINITIONS

Refer to **Exhibit B, Health and Human Services (HHS) Uniform Terms and Conditions (UTC) – Vendor**, and **Exhibit P, Managed Services Staff Metrics**, for additional definitions.

As used in this Solicitation, unless a different definition is specified or the context clearly indicates otherwise, the following terms and conditions have the meanings assigned below:

“**Addendum**” means a written clarification or revision to this Solicitation issued by HHS PCS and posted to the ESBD.

“**Average Handle Time (AHT)**” means the average duration of a call, including talk time and call-related follow-up activities.

“**Average Speed of Answer (ASA)**” means the average amount of time a caller waits before the call is answered.

“**Abandonment Rate**” means the percentage of calls disconnected by callers before being answered.

“**Award Consideration (AC) Documents**” means documents Respondent must submit as part of the Solicitation Response to be considered for negotiations or award.

“**Business Day**” means any day (24-hour period) in which normal business operations of HHS are conducted (e.g., excludes Saturday, Sunday and the national holidays specified in [Section 662.003\(a\) of the Texas Government Code](#).)

“**Business Hour**” means a clock hour during standard Business Hours from 8:00 AM to 5:00 PM of a Business Day as specified in [Section 662.003\(a\) of the Texas Government Code](#).

“**Calendar Day**” means every day on the calendar, i.e. all 365 days of the year (366 if it is a leap year).

“**CompTIA A+ Certification**” is an industry-recognized, vendor-neutral credential issued by CompTIA that validates foundational IT skills in hardware, operating systems, networking, security, and technical troubleshooting.

“**Contract Start Date**” means the date on which the Contract becomes effective and the Contract Term begins. Unless a different start date is expressly stated in the executed Contract, the Contract Start Date is the same date as the Contract Execution Date.

“**Contract Term**” means the period of time beginning with the commencement date or Effective Date of a Contract and ending when the Contract expires in accordance with its terms, or when it has been terminated.

“**Contract Execution Date**” means the date on which all Parties have signed the Contract, thereby making it legally binding and enforceable.

“**Critical Roles**” refers to all Key Personnel Staff as designated by the Contractor, as well as the Deskside Services Team Lead, who collectively are responsible for overseeing the management, coordination, and delivery of Managed Services Staff and Deskside Support Services.

“**Customer Satisfaction (CSAT)**” means the average Customer Satisfaction score measured using HHSC - approved survey methods.

“**DFPS**” means the Department of Family and Protective Services.

“**DSS**” means Deskside Support Services.

“**ESBD**” means the Electronic State Business Daily, the electronic marketplace where State of Texas bid opportunities over \$25,000 are posted. The ESBD may currently be accessed at: <http://www.txsmartbuy.com/esbd>.

“**Final Written Response Score**” means the final scoring of the written response as documented in the Solicitation.

“First Call Resolution (FCR)” means the percentage of incidents resolved during the initial contact without the need for follow-up.

“HHSC PCS” means Procurement and Contracting Services (PCS), a division of HHSC.

“HIPAA” means the Health Insurance Portability and Accountability Act of 1996, a United States federal law that establishes national standards to protect the privacy, security, and confidentiality of individuals’ health information, including requirements applicable to covered entities and business associates. HIPAA information and regulatory guidance may be accessed at: <https://www.cdc.gov/phlp/php/resources/health-insurance-portability-and-accountability-act-of-1996-hipaa.html>.

“Subcontracting Plan” or “SP” means written documentation regarding the use of subcontractors, which is required [Section 2161.252 of the Texas Government Code](#), for a purchase with an expected value of \$100,000 or more when the state agency has determined subcontracting opportunities are probable. The HSP subsequently becomes a provision of the Contract and Contractor’s compliance with the HSP will be monitored during the Contract Term.

“IEE” means the Integrated Eligibility & Enrollment system, which is supported by the TIERS Service Desk.

“ITSDS” means IT Service Delivery & Support.

“Information Technology Infrastructure Library (ITIL) Foundation” means a globally recognized framework and certification that provides best practices for Information Technology Service Management (ITSM), focusing on aligning IT services with business needs. ITIL Foundation materials and overview information may be accessed at: <https://www.itil.com/at-a-glance>.

“Key Personnel Staff” means the individuals that are employed by Contractor and are designated to support the management of Managed Services Staff.

“Managed Services” refers to the ongoing management, operation, and support of IT or business functions by a third-party provider, who delivers these services according to agreed-upon service levels.

“Managed Services Staff” means the individuals contracted by Contractor who will perform the Services under the Contract.

“Operations Start Date” means the date on which the Contractor is required to begin providing the Services as specified in the Contract, marking the commencement of operational responsibilities under the agreement.

“Original Candidate Resume” means the candidate's resume as it was initially submitted, without any modifications, edits, or alterations made by the Contractor.

“Planned Separation” means a process in which an employee or contractor’s departure from a position or organization is scheduled in advance, allowing for appropriate notice, transition of responsibilities, and completion of necessary exit procedures.

“Operational Readiness” means the state in which all systems, personnel, processes, and resources are fully prepared and able to commence and maintain delivery of services as specified in the Contract.

“Qualified Candidate(s)” means an individual who meets all minimum requirements specified in the job description for the position being filled and complies with contractual and agency standards. This includes the experience or education requirements, and the candidate has demonstrated competency in the required skills.

“Respondent” means the individual or entity responding to this Solicitation.

“Response” means Respondent’s full and complete response (including any attachments and addenda) to this Solicitation, which is incorporated by reference for all purposes in its entirety.

“Service Desk” means any of the dedicated teams providing Tier 1 support for DFPS, Enterprise, or TIERS customers.

“Solicitation Consideration (SC) Documents” means documents that must be submitted by Respondent with the Solicitation Response in order to be considered for evaluation and cannot be resubmitted or have errors remedied after the submission due date and time in the Schedule of Events has passed.

“State” means the State of Texas and its instrumentalities, including HHSC, DFPS, or DSHS, and any other state agency, its officers, employees, or authorized agents.

“Tier 1” means support for basic customer issues such as solving usage problems and fulfilling Service Desk requests that need IT involvement.

“Tier 2” means support for the assessment of issues and provision of solutions for problems that cannot be handled by Tier 1.

“TIERS” means Texas Integrated Eligibility Redesign Systems.

“Transition” means the orderly and expeditious transfer of services from the outgoing service provider at the beginning of the Contract.

“Turnover” means the orderly and expeditious handoff of services to the incoming service provider at the end of the Contract.

“Unplanned Separation” refers to an event in which an employee or contractor separates from a position or organization without prior scheduling or advance notice. Such separation may occur due to unforeseen circumstances, including but not limited to, involuntary termination, resignation without notice, or other unexpected incidents.

“VPTS” means Vendor Performance Tracking System maintained by the Texas Comptroller of Public Accounts. The VPTS may be currently accessed at:

<https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>.

1.3 AUTHORITY

HHSC is soliciting the services stated in this solicitation under the authority [Texas Government Code, Section §2157.006\(a\)\(2\)](#).

ARTICLE II. SCOPE OF WORK

2.1 DESCRIPTION OF SERVICES

The Texas Health and Human Services (HHS) System is comprised of more than fifty thousand public servants under two (2) agencies: HHSC and DSHS. HHSC, as authorized by applicable statute, provides administrative support to certain State agencies such as DSHS and DFPS. Users of the Services described in this solicitation may include State employees, contractors, and volunteers as well as HHSC-designated entities (e.g., private provider staff). The solicitation describes HHSC's business requirements, technical requirements, service level requirements, and other information related to HHSC's environment.

2.2 REQUIREMENTS

The Contractor shall provide qualified Managed Services Staff to support HHSC's IT Service Delivery & Support Services (ITSDS) and Deskside Support Services (DSS) in accordance with this Solicitation and **Exhibit Q, Requirements Traceability Matrix (RTM)**.

The detailed Contractor requirements are set forth in **Exhibit Q, Requirement Traceability Matrix (RTM)**, and the applicable exhibits and attachments included in this Solicitation.

In accordance with **Exhibit Q, Requirements Traceability Matrix (RTM)**, a summary of the requirement areas is provided below:

1. Transition Requirements, (Table 1)
2. Operations Phase Requirements
 - a. Staffing Requirements, (Table 2)
 - b. Onboarding & Security Requirements, (Table 3)
 - c. Staffing Change Requirements, (Table 4)
 - d. Reporting & Meetings Requirements, (Table 5)
 - e. Invoice & Timekeeping Requirements, (Table 6)
 - f. Performance & Compliance Requirements, (Table 7)
3. Key Performance Measures & Liquidated Damages, (Table 8)

4. Deliverable Requirements, (Table 9)

2.3 CONTRACT AWARD, TERM AND HISTORICAL COMPENSATION

2.3.1 Contract Award and Execution

System Agency intends to award one (1) Contract as a result of this Solicitation. Any award is contingent upon approval of the System Agency Executive Commissioner or their designee.

If, for any reason, a final Contract cannot be executed with a Respondent selected for award within thirty (30) days of System Agency's determination to seek to contract with that Respondent, System Agency may negotiate a Contract with the next highest-scoring Respondent or may withdraw, modify, or partially award this Solicitation.

2.3.2 Contract Term

The initial term of any Contract resulting from this Solicitation will be for a period of three (3) years. HHSC, at its sole option, may extend any Contract awarded pursuant to this Solicitation for up to two (2) additional years.

Following the base term and any allowable renewals or extensions, HHSC may extend any resulting Contract for not more than one (1) additional option period to address immediate operational or service delivery needs. If the resulting Contract does not include a defined option period, the extension is limited to one (1) year.

2.3.3 Historical Compensation

Historical compensation under Contracts with similar scope and size to this Solicitation has been approximately \$3,899,492.84 per fiscal year. Notwithstanding **Section 2.3.3 (Historical Compensation)**, HHSC reserves the right to adjust any projected amount based on state funding during the term of a resulting Contract.

2.4 DATA USE AGREEMENT AND SECURITY PRIVACY INQUIRY

By entering into a Contract with HHSC as a result of this Solicitation, Contractor agrees to be bound by the terms of the **Data Use Agreement (DUA)** attached as **Exhibit D**.

Contractor must ensure that all Confidential Information (as defined in **Exhibit D, Data Use Agreement (DUA)**), including such information residing on back-up systems, remains within the United States. Confidential Information must not be accessed by Contractor personnel located

outside of the United States. Furthermore, Confidential Information may not be accessed, received, stored, processed, disposed of, maintained or backed up via information technology systems located outside of the United States.

Respondents must complete and return with their Solicitation Response **Exhibit D-1, Attachment 2 to the DUA, Security and Privacy Inquiry (SPI)**.

2.5 NO GUARANTEE OF VOLUME, USAGE, OR COMPENSATION

HHSC makes no guarantee of volume, usage, or total compensation to be paid to any Respondent under any awarded Contract, if any, resulting from this Solicitation. Any awarded Contract is subject to appropriations and the continuing availability of funds.

HHSC reserves the right to cancel, make partial award, or decline to award a Contract under this Solicitation at any time at its sole discretion.

2.6 GOVERNMENTAL ENTITIES

If Respondent is responding to this Solicitation in its capacity as a governmental entity, certain terms and conditions found in this Solicitation, including all exhibits and attachments, may not be applicable. Furthermore, to the extent permitted by law, if a Solicitation Response is received from a governmental entity, HHSC reserves the right to enter into an interagency or interlocal agreement with the governmental entity.

ARTICLE III. ADMINISTRATIVE INFORMATION

3.1 SCHEDULE OF EVENTS

EVENT	DATE/TIME
Solicitation Posting Date to ESBD	OCTOBER 06, 2026
Subcontracting Plan Conference Attendance is Optional	OCTOBER 13, 2026, at 10:00 AM Central Time (CT)
Deadline for Submitting Questions or Requests for Clarification	OCTOBER 14, 2026 at 10:00 AM Central Time (CT)
Tentative Date Responses to Questions or Requests for Clarification Posted on ESBD	OCTOBER 21, 2026
Deadline for courtesy SP Review	OCTOBER 22, 2026, at 2:00 PM Central Time (CT)
Deadline for Submission of Solicitation Responses <i>[NOTE: Responses must be <u>RECEIVED</u> by HHSC by the deadline.]</i>	NOVEMBER 03, 2026, at 10:30 AM Central Time (CT)
Evaluation Period	NOVEMBER 2026
Anticipated Notice of Award	MARCH 2027
Anticipated Contract Execution Date / Contract Start Date	AUGUST 2027

Note: For purposes of this Schedule of Events, the anticipated Contract Execution Date and anticipated Contract Start Date are aligned as the same date. If the final executed Contract establishes a different start date, the Contract term will control.

Respondents must submit their Solicitation Responses to HHSC in accordance with the due date and time indicated in this Schedule of Events or as changed via an Addendum posted to the ESBD.

NOTE: All dates are tentative and HHSC reserves the right to modify these dates at any time. At the sole discretion of HHSC, events listed in the Schedule of Events are subject to scheduling changes and cancellation. Scheduling changes or cancellation determinations made prior to the deadline for submission will be published by posting an Addendum to the ESBD. After the deadline for submission, if there are delays that significantly impact the anticipated award date, HHSC, at its sole discretion, may post updates regarding the anticipated award date to the [Procurement Forecast](#) on the HHS Procurement Opportunities web page. Each Respondent is responsible for checking the ESBD and [Procurement Forecast](#) for updates.

By submitting a Solicitation Response, Respondent represents and warrants that any individual submitting the Solicitation Response and any related documents on behalf of the Respondent is authorized to do so and to bind the Respondent under any Contract that may result from this Solicitation.

3.2 AMBIGUITY, CONFLICT, OR DISCREPANCY

Respondent must notify the **Sole Point of Contact (Section 3.3.1)** of any ambiguity, conflict, discrepancy, exclusionary specification, omission, or other error in the Solicitation in the manner and by the deadline described in **Section 3.3.4 (Solicitation Questions)**.

Respondent submits a Solicitation Response at its own risk.

If Respondent fails to properly and timely notify the **Sole Point of Contact (Section 3.3.1)** of any ambiguity, conflict, discrepancy, exclusionary specification, omission, or other error in the Solicitation, Respondent, whether awarded a Contract or not:

- a. Waives any claim of error or ambiguity in the Solicitation and any resulting Contract;
- b. Must not contest the interpretation by HHSC of such provision(s); and
- c. Is not entitled to additional compensation, relief, or time by reason of ambiguity, conflict, discrepancy, exclusionary specification, omission, or other error or its later correction.

3.3 INQUIRIES

3.3.1 Sole Point of Contact

All requests, questions, or other communication about this Solicitation must be made in writing to HHSC PCS, addressed to the person listed below (Sole Point of Contact). Additionally, a phone number is provided for purposes such as instructing a potential Respondent through an IT system or website referenced in this Solicitation. Communications via telephone are not binding.

The Sole Point of Contact will authorize a secondary Sole Point of Contact in the event of their absence and, in such an event, will include the contact information for the secondary Sole Point of Contact in their automatic reply out-of-office e-mail message. Respondents seeking to contact the Sole Point of Contact should do so via e-mail in order to receive updated contact information.

Name	Ron Hurley , CTCD, CTCM
Title	Contract Administrator Manager I
Address	Procurement and Contracting Services Building 1100 W 49th St. MC: 2020 Austin, TX 78756
Phone	Phone: 512-406-2598
Email	Ron.Hurley@hhs.texas.gov

See also, **Section 3.3.3 (Exception to Sole Point of Contact)** below.

3.3.2 Prohibited Communication

Except as provided in **Section 3.3.1 (Sole Point of Contact)** and **Section 3.3.3 (Exception to Sole Point of Contact)**, potential Respondents and Respondents are prohibited from any communication with HHSC regarding the Solicitation. HHSC, its representative(s), and partners will not answer any questions or otherwise discuss the contents of this Solicitation with any potential Respondent or its representative(s). Attempts to ask questions by phone or in person will not be allowed or recognized as valid. Respondents must rely only on written statements issued by or through HHSC designated staff as provided by **Section 3.3 (Inquiries)**. This restriction does not preclude discussions between affected parties for the purposes of conducting business unrelated to this Solicitation. **Failure to comply with these restrictions may result in disqualification of Respondent's Solicitation Response.**

3.3.3 Exception to Sole Point of Contact

Exceptions to **Section 3.3.1 (Sole Point of Contact)** are as follows:

- a. Respondents with questions relating to the SP Subcontracting Plan are permitted to direct those questions to the VetHUB coordinator at cheryl.bradley@hhs.texas.gov.
- b. Where it is expressly directed by the Sole Point of Contact that another designated HHSC representative may speak to the Respondent, such as during Contract negotiations.

Respondents are required to ensure that communications have been authorized by the Sole Point of Contact before engaging in such communication. Failure to comply with this requirement may result in the disqualification of a Respondent's Solicitation Response.

3.3.4 Solicitation Questions

HHSC will allow written questions and requests for clarification regarding this Solicitation. Questions must be submitted by e-mail to the **Sole Point of Contact (Section 3.3.1)** by the deadline established in **Section 3.1 (Schedule of Events)**. Responses to questions or other written requests for clarification will be consolidated and posted to the ESBD and will not be provided individually to requestors.

HHSC reserves the right to amend answers previously posted, prior to the Solicitation response deadline (**Section 3.1 (Schedule of Events)**). Amended answers will be posted on the ESBD. It is the Respondent's responsibility to check the ESBD. HHSC also reserves the right to provide a single consolidated response to all similar questions at the agency's sole discretion.

- a. All questions and requests for clarification must include the following information:
 1. Solicitation number;
 2. Solicitation package reference (page number, section, and exhibit or attachment, if applicable);
 3. Question topic (e.g., "Schedule of Events," or "**Exhibit N, Cost Proposal**"); and
 4. Question for HHSC.
- b. Requestor contact information below must be included in the body of the e-mail and submitted with the question(s):
 1. Company name;
 2. Company representative name;
 3. Phone number; and
 4. E-Mail address.

Questions or requests for clarification received after the deadline in **Section 3.1 (Schedule of Events)**, may be reviewed by HHSC but may not be answered. Only answers to questions submitted to the Sole Point of Contact in writing, in accordance with this section, are binding.

3.4 SP CONFERENCE

3.4.1 Attendance

HHSC PCS will conduct an Subcontracting Plan conference. Attendance is optional but highly recommended.

As part of the Subcontracting Plan conference, HHSC PCS VetHUB will provide a training that will include an overview of the SP Subcontracting Plan.

3.4.2 Conference Logistical Information

HHSC PCS will hold the Subcontracting Plan Conference webinar on the date and time set out in **Section 3.1 (Schedule of Events)**.

People with disabilities who wish to attend the meeting and require auxiliary aids or Services should contact the Sole Point of Contact identified in **Section 3.3.1 (Sole Point of Contact)**, at least seventy-two (72) hours before the meeting in order to have reasonable accommodations made by HHSC.

SP Conference Webinar Information:

Registration URL

<https://attendee.gotowebinar.com/register/6237252843120808023>

Webinar ID 355-864-099

3.4.3 Questions at SP Conference

- a. Reference **Section 3.3.4 (Solicitation Questions)** for the required format and information to be provided for submission of questions and requests for clarification.
- b. During the conference, HHSC may provide responses to questions and requests for clarification, but only written responses posted by HHSC PCS as an Addendum to the Solicitation on the ESBD will be considered an official, binding update to the Solicitation.
- c. HHSC reserves the right to amend, prior to the Solicitation Response Deadline, answers previously posted. Amended answers will be posted on the ESBD. Notification of posting will be in accordance with **Section 3.1 (Schedule of Events)**.

- d. Conversations with HHSC program area staff **before or after the HSP conference** are prohibited.

3.5 SOLICITATION RESPONSE COMPOSITION

3.5.1 General Information

Failure to submit all required Solicitation Response documents in the required format(s) may result in disqualification of the Solicitation Response without further consideration **Section 3.6.3 (Submission Checklist)**. Respondent must prepare a Solicitation Response that clearly and concisely represents its qualifications and capabilities. Expensive bindings, colored displays, promotional materials, etc. are not necessary or desired. Respondents should focus on the instructions and requirements of the Solicitation.

3.5.2 Page Limit and Supporting Documentation

The Narrative Proposal (**Article V**) should not exceed forty (40) pages and should be formatted for 8 ½" x 11" paper with 1-inch margins and typed in Times New Roman, 12-point font. If complete responses cannot be provided without referencing supporting documentation, such documentation must be provided with the Solicitation Response, with specific reference made to the file, page, section, and/or paragraph where the supporting information can be found.

3.5.3 Discrepancies

In the event of any discrepancies or variations between copies, HHSC is under no obligation to resolve the inconsistencies and may make its scoring and selection decisions, accordingly, including the decision to potentially disqualify a Solicitation Response. If Respondent is required to designate an "Original" Solicitation Response but fails to do so, HHSC in its sole discretion, will determine the version to be used as the original or may disqualify the Solicitation Response. If the Respondent submits a redacted Solicitation Response as the "Original," HHSC will disqualify the Solicitation Response, and it will not be evaluated. HHSC will not accept submissions after the "Deadline for Submission of Solicitation Responses" in the **Section 3.1 (Schedule of Events)** to remedy discrepancies or variations in Solicitation Response submissions.

3.5.4 Exceptions

Respondents are highly encouraged, in lieu of including exceptions in their Solicitation Responses, to address all issues that might be advanced by way of exception by submitting such issues as questions or requests for clarification pursuant to **Section 3.3.4 (Solicitation Questions)**.

Any exception included in a Solicitation Response may result in a Respondent not being awarded a Contract. If a Respondent includes exceptions in its Solicitation Response, Respondent is

required to use the **Exceptions Form** included as **Exhibit E** to this Solicitation and provide all information requested on the form. Any exception that does not provide all required information in the format set forth in **Exhibit E** may be rejected without consideration.

No exception, nor any other term, condition, or provision in a Solicitation Response that differs, varies from, or contradicts, this Solicitation will be considered to be part of any Contract resulting from this Solicitation unless expressly by HHSC and made a part of the Contract in writing by HHSC.

3.5.5 Assumptions

Respondent must identify on the **Exhibit F, Assumptions Form**, any business, economic, legal, programmatic, or practical assumptions that underlie the Respondent's response to the Solicitation. HHSC reserves the right to accept or reject any assumptions. All assumptions not expressly identified, accepted, and incorporated into any Contract resulting from this Solicitation are deemed rejected by HHSC.

3.5.6 Binding Offer

A Solicitation Response should be responsive to the Solicitation as worded and without any assumption that any or all terms, conditions, or provisions of the Solicitation will be negotiated. Furthermore, all Solicitation Responses constitute binding offers. **Any Solicitation Response that includes any type of disclaimer or other statement indicating that the response does not constitute a binding offer will be disqualified.**

If a Respondent's ability to enter into a Contract is contingent upon any exception or assumption provided in accordance with **Section 3.5.4 (Exceptions)** or **Section 3.5.5 (Assumptions)**, the Respondent may be disqualified from further consideration for Contract award.

3.6 SOLICITATION RESPONSE SUBMISSION AND DELIVERY

3.6.1 Deadline

Solicitation Responses must be received at the address in **Section 3.6.4 (Labeling and Delivery for USB Submission and Other Materials)** and time-stamped by HHSC PCS no later than the date and time specified in **Section 3.1 (Schedule of Events)**.

Solicitation Responses received after the deadline specified in Section 3.1 (Schedule of Events) will be rejected and not considered for Contract award.

3.6.2 Submission Option

a. Submission Option #1: Respondent must submit two (2) USB drives—one (1) labeled “Original Proposal” and one (1) labeled “Copy”—containing the following documents:

1. Each USB drive must contain one (1) file named “Original” that contains the Respondent’s entire Solicitation Response (except the cost proposal and Subcontracting Plan) in searchable portable document format (PDF), unless otherwise specified for a particular attachment or exhibit.
2. If applicable in accordance with **Section 8.1.5 (Public Information Act – Respondent Requirement Regarding Disclosure)**, each USB drive must contain one (1) file named “Public Information Act Copy” that contains the Respondent’s entire Solicitation Response, including all exhibits and attachments, in searchable PDF.
3. In accordance with **Section 7.1 (Cost Proposal)**, each USB drive must contain one (1) file named “Cost Proposal” that contains the Respondent’s cost proposal in Excel format with active formulas (compatible with Microsoft Office 2016).
4. In accordance with **Section 6.8 (Subcontracting Plan)**, each USB drive must contain one (1) file named “HUB Subcontracting Plan” in searchable PDF, that contains the Respondent’s HUB Subcontracting Plan and all supporting documentation.

b. Submission Option #2: Respondent must submit the following through the Online Bid Room utilizing the procedures in **Exhibit M, HHS Online Bid Room Information**:

1. One (1) file named “Original” that contains the Respondent’s entire Solicitation Response (except the cost proposal and HUB Subcontracting Plan) in searchable portable document format (PDF), unless otherwise specified for a particular attachment or exhibit.
2. If applicable in accordance with **Section 8.1.5 (Public Information Act – Respondent Requirements Regarding Disclosure)** one (1) file named “Public Information Act Copy” that contains the Respondent’s entire Solicitation Response, including all exhibits and attachments, in searchable PDF.
3. In accordance with **Section 7.1 (Cost Proposal)** one (1) file named “Cost Proposal” that contains the Respondent’s cost proposal in Excel format with active formulas (compatible with Microsoft Office 2016).
4. In accordance with **Section 6.8 (Subcontracting Plan)** one (1) file named “Subcontracting Plan” in searchable PDF, that contains the Respondent’s Subcontracting Plan and all supporting documentation.

3.6.3 Submission Checklist

Solicitation Consideration and Award Consideration Documents, reference **Section 1.2 (Definitions)** must be submitted by the deadline for Solicitation Response submissions, reference **Section 3.1 (Schedule of Events)**. Solicitation Consideration Documents will be reviewed as received, and Respondent will not have an opportunity to remedy missed requirements. At its sole discretion, HHSC may request some or all of the Respondents to remedy missing elements of Award Consideration Documents. Those marked “SC” are Solicitation Consideration Documents and those marked “AC” are Award Consideration Documents.

The Solicitation Response must be submitted using one of the approved methods identified in **Section 3.6 (Solicitation Response Submission and Delivery)**. Below are the documents required to be submitted with the Solicitation Response. Where searchable PDF files are required, submission of non-searchable (image only) PDF files may result in disqualification from further consideration for Contract award.

A. Proposal and Respondent Information				
1.	Narrative Proposal	(Article V)	SC	_____
2.	Company Information	(Section 6.1)	SC	_____
3.	Franchise Tax Information	(Section 6.2)	AC	_____
4.	References	(Section 6.3)	AC	_____
5.	Major Subcontractor Information	(Section 6.4)	AC	_____
6.	HHS Solicitation Affirmations	(Section 6.5, Exhibit A)	SC	_____
7.	Assurances – Non-Construction Programs (if applicable)	(Section 6.5, Exhibit I)	AC	_____
8.	Certification Regarding Lobbying (if applicable)	(Section 6.5, Exhibit J)	AC	_____
9.	Federal Funding Accountability and Transparency Act (FFATA)	(Section 6.5, Exhibit K)	AC	_____
10.	Exceptions (if applicable)	(Section 3.5.4, Exhibit E)	AC	_____
11.	Assumptions (if applicable)	(Section 3.5.5, Exhibit F)	AC	_____
12.	Other Reports	(Section 6.6)	AC	_____
13.	Attachment 2 to the DUA, Security and Privacy Inquiry (SPI)	(Section 2.4, Exhibit D-1)	AC	_____
14.	Certificate of Authority	(Section 6.9)	AC	_____

15.	Transition Staffing Schedule	(Section 5.1.2, Exhibit R)	AC	_____
B.	Cost Proposal	(Article VII and Exhibit N)	SC	_____
C.	Subcontracting Plan Requirements	(Section 6.8 and Exhibit G)	SC	_____

3.6.4 Labeling and Delivery for USB Drive Submission and Other Materials

Respondent must deliver Solicitation Responses submitted via USB drive by one (1) of the methods below.

Overnight/Express/Priority Mail	Hand Delivery
Health and Human Services Commission ATTN: Response Coordinator Tower Building Room 108 1100 W. 49th St., MC 2020 Austin, Texas 78756	Health and Human Services Commission ATTN: Response Coordinator Procurement & Contracting Services Building 1100 W. 49th St., MC 2020 Austin, Texas 78756

BE ADVISED, all Solicitation Responses become the property of HHSC after submission and will not be returned to the Respondent. It is the Respondent's responsibility to appropriately mark and deliver the Solicitation Response to HHSC PCS by the specified Solicitation Response Deadline identified in Section 3.1 (Schedule of Events). A dated shipping label, invoice of receipt from USPS or commercial carrier, or any other documentation in lieu of the on-site time stamp WILL NOT be accepted.

Each Respondent is solely responsible for ensuring its Solicitation Response is submitted in accordance with all Solicitation requirements, including, but not limited to, proper labeling of packages, sufficient postage or delivery fees, and ensuring timely receipt by HHSC. **In no event will HHSC be responsible or liable for any delay or error in delivery. Solicitation Response must be RECEIVED by HHSC PCS by the Solicitation Response Deadline identified in Section 3.1 (Schedule of Events).**

Solicitation Responses submitted via USB drive by mail or hand delivery must be placed in a sealed package. The sealed package and the USB drives must be clearly labeled on the outside as follows:

SOLICITATION NO:	HHS0017021
SOLICITATION NAME	Service Desk and Deskside Support Services
SOLICITATION RESPONSE DEADLINE	Refer to Section 3.1 (Schedule of Events)

PURCHASER NAME:	Ron Hurley CTCD/CTCM
RESPONDENT NAME:	Respondent Name

It is Respondent's sole responsibility to ensure that packaging is sufficient to prevent damage to contents. HHSC will not be responsible or liable for any damage, and damaged Solicitation Responses will not be considered at HHSC's sole discretion.

HHSC will not be held responsible for any Solicitation Response that is mishandled prior to receipt by HHSC PCS. It is the Respondent's sole responsibility to mark appropriately and deliver the Solicitation Response to HHSC PCS by the specified date and time. HHSC will not be responsible for late delivery, inappropriately identified documents, or other submission errors that may lead to disqualification or nonreceipt of the Respondent's Solicitation Response.

3.6.5 Modifications and Withdrawals

Prior to the Solicitation Response submission deadline in **Section 3.1 (Schedule of Events)**, Respondent may: (1) withdraw its Solicitation Response by submitting a written request to the Sole Point of Contact identified in **Section 3.3.1 (Sole Point of Contact)**; or (2) modify its Solicitation Response by submitting a written amendment to the Sole Point of Contact identified in **Section 3.3.1 (Sole Point of Contact)**. When modifying its Solicitation Response, Respondent must include in writing the section(s) of its submission that will be replaced or removed by the amendment.

ARTICLE IV. SOLICITATION RESPONSE EVALUATION AND AWARD PROCESS

4.1 CONFORMANCE WITH STATE LAW

Solicitation Responses must be evaluated in accordance with Texas Government Code [§2155.144](#) and [§2157.003](#). HHSC must not be obligated to select the lowest priced Solicitation Response but must make an award to the Respondent that provides the best value to the State of Texas.

4.2 BEST VALUE DETERMINATION

4.2.1 Selection Methodology

Solicitation Responses that meet the minimum qualifications will be submitted to the evaluation team for review and scoring. Each member of the evaluation team will receive a copy of each responsive Solicitation Response. The evaluators will review the Solicitation Responses considering the criteria listed in **Section 4.2.5 (Written Response Evaluation Criteria)**.

Evaluators will individually score the Solicitation Responses. This procurement will utilize aggregated individual evaluation methodology as outlined by this section.

The following subsections describe the evaluation process, including any criteria for advancement to the various phases of evaluation, if applicable.

4.2.2 Minimum Qualifications

Respondents must meet the minimum qualifications listed below.

- a. Respondents must have minimum of five (5) years of experience in staff augmentation services;
- b. Respondents must be financially solvent and adequately capitalized, as determined based on a review of documentation required by **Section 6.6 (Other Reports)**;
- c. Respondents have submitted the Solicitation Response in accordance with **Section 3.6, (Solicitation Response Submission and Delivery)** including all Solicitation Consideration and Award Consideration Documents, see **Section 3.6.3 (Submission Checklist)**;

4.2.3 Initial Compliance Screening

HHSC will review Solicitation Responses for compliance with the **Section 3.6.3 (Submission Checklist)** and for demonstrated ability to meet the **Section 4.2.2 (Minimum Qualifications)**

required to advance to evaluations. Failure to meet **Section 4.2.2 (Minimum Qualifications)**, will result in the disqualification of the Solicitation Response.

HHSC will automatically disqualify any Solicitation Response that does not include one or more of the completed and signed (as applicable) Solicitation Consideration Documents listed in **Section 3.6.3 (Submission Checklist)**.

At its sole discretion, HHSC may disqualify any Solicitation Response that does not include all required Award Consideration Documents. Reference **Section 3.6.3 (Submission Checklist)**.

HHSC may contact references provided in response to this Solicitation. HHSC may contact Respondent's clients, or solicit information from any available source, including the Comptroller's VPTS. Any information received may be grounds for disqualification if that information, in HHSC's sole discretion, suggests that the Respondent may perform poorly if selected.

4.2.4 Written Solicitation Response Evaluation

Each member of the evaluation team will read the Solicitation Responses in preparation for evaluation. The evaluation team will score all Solicitation Responses that pass initial screening **Section 4.2.3 (Initial Compliance Screening)**. Solicitation Responses will be scored against the criteria in **Section 4.2.5 (Written Response Evaluation Criteria)**.

Solicitation Responses will be evaluated utilizing aggregated individual scoring and any other methods outlined in **Article IV, Solicitation Response Evaluation and Award Process**. The individual evaluators' scores will be aggregated and weighted, resulting in the Final Written Response Scores, unless BAFOs are conducted.

4.2.5 Written Response Evaluation Criteria

Solicitation Responses must be consistently evaluated and scored in accordance with the following criteria. See also, **Exhibit L, Evaluation Tool**.

- a. Experience (35%)
- b. Narrative Proposal (30%)
- c. Cost (35%)

4.2.6 Best and Final Offer (BAFO)

HHSC may, at its sole discretion, following the execution of **Section 4.2.1 (Selection Methodology)** request BAFOs from all Respondents or, if applicable. The request for a BAFO will allow a Respondent the opportunity to revise its original Solicitation Response, including pricing, or leave its Solicitation Responses originally submitted. Revisions must be submitted in the manner and form prescribed by the BAFO request. Requests will be sent to the point of contact

provided by the Respondent. HHSC is not responsible for a Respondent's failure to timely receive the BAFO request.

HHSC reserves the right to request more than one BAFO from each of the selected Respondents. If a response is submitted to a request for a BAFO, the **Final Written Response Scores** (as outlined by **Section 4.2.7**) will be revised in accordance with the stated criteria in **Section 4.2.5 (Written Response Evaluation Criteria)** as to any changes made to the Respondent's original Solicitation Response. A request for a BAFO does not guarantee an award or further negotiations.

If BAFOs are requested by HHSC and submitted by the Respondent, they will be evaluated using the criteria stated in the BAFO invitation, scored, and ranked by the evaluation committee. The award will then be granted to the highest scoring Respondent. However, a Respondent should provide its best offer in its original Solicitation Response. Respondents should not expect or assume that HHSC will request a BAFO.

4.2.7 Final Written Response Score

A Respondent's Final Written Response Score is the score from the **Section 4.2.4 (Written Solicitation Response Evaluation)**. If BAFOs are conducted, the Final Written Response Score may be adjusted in accordance with **Section 4.2.6 (Best and Final Offer)**. Final Written Response Score may not always determine best value or selection for negotiation and award, see **Section 4.2.8 (Summary of Best Value Determination)** for more information.

4.2.8 Summary of Best Value Determination

The final selection for award will be based on best value, as determined by this section. This includes any scoring adjustments for outliers, Interviews, best and final offers, oral presentations, demonstrations, site visits, or other additional considerations as specified by this solicitation. Respondents are encouraged to thoroughly review the processes outlined in this section, as it documents the best value considerations to be made by HHSC when selecting a Respondent for negotiation and Contract award.

4.3 QUESTIONS OR REQUESTS FOR CLARIFICATION

By submitting a Solicitation Response, Respondent grants HHSC the right to ask questions, request clarifications and to obtain any information from any lawful source regarding the past history, practices, conduct, ability, and eligibility of the Respondent to supply Goods or Services and to fulfill requirements under this Solicitation, and the past history, practices, conduct, ability, and eligibility of any director, officer, or key employee of the Respondent. By submitting a Solicitation Response, the Respondent generally releases from liability and waives all claims against any party providing information about the Respondent at the request of HHSC. Such information may be taken into consideration in evaluating the Solicitation Response.

ARTICLE V. NARRATIVE PROPOSAL REQUIREMENTS

5.1 NARRATIVE PROPOSAL INSTRUCTIONS

Respondents must submit a Narrative Proposal that clearly describes their proposed approach, qualifications, staffing, and ability to perform the Services required by this Solicitation. The Narrative Proposal must address the requirements in this (**Article V, Narrative Proposal Requirements**) and must not include cost information. Cost information must be submitted separately in accordance with (**Article VII, Cost Proposal**).

5.1.1 Executive Summary

Respondents must provide an executive summary of their proposal (excluding cost information) that asserts the Respondent is providing, in its proposal, all the requirements of this Solicitation, including **Article II, Scope of Work**. The summary must demonstrate Respondent's understanding of HHSC goals and objectives for this Solicitation.

If the Respondent is providing Goods or Services beyond those specifically requested, those Goods or Services must be identified. If the Respondent is offering Goods or Services that do not meet the specific requirements of this Solicitation, but in the opinion of the Respondent are equivalent or superior to those specifically requested, any such differences must be noted in the executive summary. The Respondent should realize, however, that failure to provide the Goods and Services specifically requested may result in disqualification.

In addition, Respondent must provide minimum of five (5) years of experience delivering managed IT staffing Services comparable in size, scope, and complexity to the Services required in this Solicitation.

The executive summary must not exceed five (5) pages and should represent a full and concise summary of the contents of the proposal.

5.1.2 Project Work Plan

Respondents must provide a Project Work Plan which describes their proposed processes and methodologies for providing all components of the Scope of Work described in **Exhibit Q, Requirements Traceability Matrix (RTM)**. Respondents should identify all tasks to be performed, including all Project activities, materials and other products, Services, and reports to be generated during the Contract period and relate them to the stated purpose(s) and specifications described in this Solicitation.

Respondents must also complete and return with their Solicitation Response **Exhibit R, Transition Staffing Schedule.**

5.1.3 Key Staffing Profile

Respondents must provide key staffing profiles and resumes for all Key Personnel Staff in accordance with **Exhibit O, Job Descriptions**, and applicable requirements in **Exhibit Q, Requirements Traceability Matrix (RTM)** (including, but not limited to, TRA-01, TRA-04 and DEL-10).

Respondents should clearly describe how each Key Personnel Staff member's experience supports the successful performance of the Services and identify the roles and responsibilities they will perform under this Contract.

ARTICLE VI. REQUIRED RESPONDENT INFORMATION

6.1 COMPANY INFORMATION

In accordance with **Article III, Administrative Information**, Respondents must include the following information with their responses:

6.1.1 Company Narrative

Respondents must provide a detailed narrative explaining why they are qualified to provide the Services enumerated in **Article II, Scope of Work**, focusing on their key strengths and competitive advantages.

6.1.2 Company Profile

Respondents must provide a company profile, including:

- a. Their ownership structure (e.g., corporation, partnership, LLC, or sole proprietorship), including any wholly-owned subsidiaries, affiliated companies, or joint ventures. *(Please provide this information in a narrative and as a graphical representation.)* If Respondent is an affiliate of, or has a joint venture or strategic alliance with, another company, Respondent must identify the percentage of ownership of each joint venture member or affiliate and the percentage of the parent's ownership. The entity performing the majority of the Work under any Contract resulting from this Solicitation, throughout the duration of the Contract, must be the primary bidder. Finally, Respondents must provide their proposed operating structure for the Services requested under this Solicitation and which entities (i.e., parent company, affiliate, joint venture, subcontractor) will be performing them;

- b. The year the company was founded and/or incorporated. If incorporated, please indicate the state where the company is incorporated and the date of incorporation;
- c. The location of company headquarters and any field office(s) that may provide Services for any resulting Contract under this Solicitation;
- d. The number of employees in the company, both locally and nationally, and the location(s) from which employees will be assigned;
- e. The name, address, and telephone number of Respondent's point of contact for any resulting Contract under this Solicitation;
- f. The name, address, and telephone number of Respondent's point of contact for any questions regarding the Solicitation Response; and
- g. Indicate whether the company has ever been in contract with any Texas state agency. If "Yes," specify the Contract Term, for what duties, and for which agency.

6.2 FRANCHISE TAX – RIGHT TO TRANSACT BUSINESS IN TEXAS

The Texas franchise tax is imposed on each taxable entity formed or organized in Texas or doing business in Texas. Respondent must provide their 11-digit Comptroller's Taxpayer Number or the 9-digit Federal Employer's Identification Number.

Respondent must be set up in the Texas franchise tax system prior to Contract award. Texas franchise tax information can be accessed at <https://comptroller.texas.gov/taxes/franchise/>.

Respondents must also satisfy the **Secretary of State Certification** requirements in **Section 6.9** prior to Contract award.

6.3 REFERENCES

Respondents must provide a minimum of three (3) references from similar contracts or projects performed, preferably for state and/or local government, within the last five (5) years. Respondents must verify current contracts and provide the following information:

- a. Client name;
- b. Contract/project description;
- c. Total dollar amount of contract/project;
- d. Key Personnel Staff assigned to the referenced contract/project who will be designated for Work under any Contract resulting from this Solicitation; and
- e. Client contact/project manager name, telephone number, fax number, and email address.

6.4 MAJOR SUBCONTRACTOR INFORMATION

Respondents must identify any major subcontractors who will perform fifteen percent (15%) or more of the Work under any Contract resulting from this Solicitation. Respondents must indicate whether or not they hold any financial interest in any major subcontractor. As a condition of award, an authorized officer or agent of each proposed major subcontractor may be required to sign a statement to the effect that the Subcontractor has read, and will agree to abide by, Respondent's obligations under any Contract awarded pursuant to this Solicitation.

6.5 AFFIRMATIONS AND CERTIFICATIONS

Respondents must complete and return with their Solicitation Response all of the following affirmations and certifications:

- a. **Exhibit A, HHS Solicitation Affirmations;**
- b. Federal Assurances and Certifications:
 1. **Exhibit I, Assurances – Non-Construction Programs;** and
 2. **Exhibit J, Certification Regarding Lobbying.**
 3. **Exhibit K, Federal Funding Accountability and Transparency Act (FFATA).**

6.6 OTHER REPORTS

6.6.1 Dun and Bradstreet Reports

Respondents with a Dun and Bradstreet (D&B) number must include a D&B Credit Insights Report with their Solicitation Response.

6.6.2 Financial Statements and Financial Solvency

1. Respondents must submit electronically in a searchable PDF an annual report, which must include:
 1. For years, 2023, 2024, and 2025 of audited financial statements, including all supplements, management discussion and analysis, and actuarial opinions;
 2. If applicable, for years 2023, 2024, and 2025 of consolidated statements for any holding companies or affiliates; and
 3. A full disclosure of any events, liabilities, or contingent liabilities that could affect Respondent's financial ability to perform this Contract.

At a minimum, financial statements must include:

- i. Balance sheet;
 - ii. Income statement;
 - iii. Statement of changes in financial position;
 - iv. Statement of cash flows; and
 - v. Capital expenditures.
- b. If the Respondent is a corporation that is required to report to the Securities and Exchange Commission (SEC), Respondent must submit its three (3) most recent SEC Form 10K, Annual Reports, pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934, Title 15 of the United States Code Chapter 2B, Sections 78m or 78o(d). Financial materials must be submitted electronically as a word searchable PDF.
- c. If audited financial statements are not available, the Respondent must submit unaudited financial information and any other information of the entity submitting the Response that the Respondent believes meets the requirements of this section. Reference **Section 6.6.3 (Alternate Report)**. If the submitted documents do not provide adequate assurance of financial stability or solvency, HHSC reserves the right to request additional information or to disqualify the Respondent.
- d. If the Respondent is either substantially or wholly owned by another corporate (or legal) entity, the Respondent must include the information required in this section for each such entity, including the most recent detailed financial report for each such entity.
- e. If HHSC determines that an entity does not have sufficient financial resources to guarantee the Respondent's performance, HHSC may require the Respondent to obtain another acceptable financial instrument or resource from such entity, or to obtain an acceptable guarantee from another entity with sufficient financial resources to guarantee Respondent's performance.

6.6.3 Alternate Report

If the Solicitation Response does not contain the annual report specified in **Section 6.6.2 (Financial Statements and Financial Solvency)** (a) above, the Respondent must provide the following within its Solicitation Response: (1) a statement that the Respondent does not have an audited annual report for the specified time frame(s) and (2) an alternate report which contains the following:

- a. For years 2023, 2024, and 2025 of the Respondent's unaudited financial statements, including all supplements, management discussion and analysis, and actuarial opinions;
- b. Respondent's unaudited financial statement of the most recent quarter of operation; and

- c. A full disclosure of any events, liabilities, or contingent liabilities that could affect Respondent's financial ability to perform the Contract.

At a minimum, such financial statements must include:

- i. Balance sheet;
- ii. Income statement;
- iii. Statement of changes in financial position;
- iv. Statement of cash flows; and
- v. Capital expenditures

6.7 CORPORATE GUARANTEE

If the Respondent is substantially or wholly owned by another corporate (or other) entity, HHSC reserves the right to request that such parent entity unconditionally guarantee performance by the Respondent in each and every obligation, warranty, term, covenant, and condition of any Contract resulting from this Solicitation.

6.8 SUBCONTRACTING PLAN

Respondents must submit the Subcontracting Plan Requirements in accordance with **Section 3.6 (Solicitation Response Submission and Delivery)**. The SP should be labeled: " Subcontracting Plan Requirements, and include all supporting documentation in accordance with **Exhibit G, Subcontracting Plan Requirements** and the SP.

A courtesy review of a Respondent's completed SP is optional and is available upon request to assist in providing a compliant and responsive SP. This courtesy review may only identify possible deficiencies, but a final compliant determination cannot be provided until the Solicitation Response is submitted.

To request a courtesy review, submit the completed SP including all supporting documentation in a PDF format by e-mail to the HHSC VetHUB Program Office by or before the Courtesy Review of Subcontracting Plan Deadline in the **Section 3.1 (Schedule of Events)**.

E-Mail for Courtesy Review: cheryl.bradley@hhs.texas.gov

E-mail Subject Line: SP Courtesy Review, No. HHS0017021

Due Date: Refer to **Section 3.1 (Schedule of Events)**

SPs received after the courtesy review deadline in **Section 3.1 (Schedule of Events)** will not be processed. A response regarding the SP will be provided at least eight (8) Business Days prior to the Solicitation Response deadline in **Section 3.1 (Schedule of Events)** from the VetHUB Office, allowing enough time to rectify any potential deficiencies for the final SP submission.

The final SP must be submitted with the Solicitation Response by the deadline in **Section 3.1 (Schedule of Events)**. Solicitation Responses that do not include a completed Subcontracting Plan must be rejected due to material failure to comply with [Texas Government Code Section 2161.252\(b\)](#).

6.9 SECRETARY OF STATE CERTIFICATION

The Respondent must be currently authorized to do business in the State of Texas as evidenced by Certificate of Authority from the Texas Secretary of State submitted with the Solicitation Response.

See also **Section 6.2, (Franchise Tax – Right to Transact Business in Texas.)** Respondents must satisfy both the franchise tax status requirement and the Secretary of State authorization requirement prior to Contract award.

ARTICLE VII. COST PROPOSAL

7.1 COST PROPOSAL

As noted above in **Section 3.5 (Solicitation Response Composition)**, cost information must be included as a separate document/file, the cost proposal, with the Respondent's Solicitation Response for the Services listed in **Article II, Scope of Work**.

Respondents must state their pricing for all Goods and Services rendered during the course of any Contract resulting from this Solicitation, including any and all costs involved that are to be paid or reimbursed by HHSC. The pricing for the required Goods and Services is to be presented only in the format set forth in **Exhibit N, Cost Proposal** of the Solicitation. Pricing information must include all costs associated with providing the required Goods and Services and must be submitted and labeled as specified in **Section 3.6 (Solicitation Response Submission and Delivery)**. No reimbursement is available to the successful Respondent beyond the amount agreed to be paid for the Goods and Services provided. Pricing agreed to in any resulting Contract must be firm and remain constant through the Contract Term.

The cost proposal provided is for the Goods and/or Services as specified in this Solicitation and shall include all Services Desk and Deskside Support Services, and Managed Services Staff, labor, materials, tools, supplies, equipment, and personnel, including but not limited to, travel expenses, associated costs, and incidental costs necessary to provide the products and Services according to the minimum specifications, requirements, provisions, terms, and conditions set forth in this Solicitation.

ARTICLE VIII. GENERAL TERMS AND CONDITIONS

8.1 GENERAL CONDITIONS

8.1.1 Changes, Modifications, and Cancellation

HHSC reserves the right to make changes to and/or cancel this Solicitation and will post all changes and modifications, whether made as a result of a potential Respondent's written inquiries or otherwise, and cancellation notices on the ESD. It is the responsibility of the Respondent to check the ESD regularly for any additional information regarding this Solicitation. If the Respondent fails to monitor the ESD for any changes or modifications to the Solicitation, such failure will not relieve the Respondent of its obligation to fulfill the requirements as posted.

8.1.2 Offer Period

Solicitation Responses must be binding for a period of 240 Business Days after the submission due date. A Respondent may extend the time for which its Solicitation Response will be honored. Upon Contract execution, prices agreed upon by the successful Respondent(s) are an irrevocable offer for the term of the Contract and any Contract renewals or extension(s). No other costs, rates, or fees must be payable to the successful Respondent unless expressly agreed upon in writing by HHSC.

8.1.3 Costs Incurred

Respondents understand that issuance of this Solicitation in no way constitutes a commitment by HHSC to award a Contract or to pay any costs incurred by a Respondent in the preparation of a response to this Solicitation. HHSC is not liable for any costs incurred by a Respondent. Costs of developing Solicitation Responses, preparing for or participating in Oral Presentations, Demonstrations, and Site Visits, or any other similar expenses incurred by a Respondent are entirely the responsibility of the Respondent, and will not be reimbursed in any manner by the State of Texas.

8.1.4 Contract Responsibility

HHSC will look solely to the successful Respondent for the performance of all contractual obligations that may result from an award based on this Solicitation. The successful Respondent must not be relieved of its obligations for any nonperformance by its Subcontractors.

8.1.5 Public Information Act - Respondent Requirements Regarding Disclosure

Solicitation Responses and contracts are subject to the Texas Public Information Act (PIA). [Texas Government Code Chapter 552](#), and may be disclosed to the public upon request. Other legal authority also requires HHSC to post contracts and Solicitation Responses on its public website and to provide such information to the Legislative Budget Board for posting on its public website. Under the PIA, certain information is protected from public release. If Respondent asserts that information provided in its Solicitation Response is exempt from disclosure under the PIA, Respondent must:

a. Mark Original Solicitation Response:

1. 1. Mark the Original Solicitation Response, on the top of the front page, with the words “CONTAINS CONFIDENTIAL INFORMATION” in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font or larger);

2. Identify, adjacent to each portion of the Solicitation Response that Respondent claims is exempt from public disclosure, the claimed exemption from disclosure (*NOTE: no redactions are to be made in the Original Solicitation Response*);
- b. Certify in Original Solicitation Response – HHS Solicitation Affirmations, (attached as Exhibit A to this Solicitation):**
 3. Certify, in the designated section of the Exhibit A, HHS Solicitation Affirmations, Respondent’s confidential information assertion and the filing of its Public Information Act Copy; and
- c. Submit Public Information Act Copy of Solicitation Response:**
 4. Submit a separate “Public Information Act Copy” of the Original Solicitation Response (in addition to the original and all copies otherwise required under the provisions of this Solicitation). The Public Information Act Copy must meet the following requirements:
 5. The copy must be clearly marked as “Public Information Act Copy” on the front page in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font or larger);
 6. Each portion Respondent claims is exempt from public disclosure must be redacted (blacked out); and
 7. Respondent must identify, adjacent to each redaction, the claimed exemption from disclosure. Each identification provided as required in Subsection (c) of this section must be identical to those set forth in the Original Solicitation Response as required in Subsection (a)(2), above. The only difference in required markings and information between the Original Solicitation Response and the “Public Information Act Copy” of the Solicitation Response will be redactions - which can only be included in the “Public Information Act Copy.” There must be no redactions in the Original Solicitation Response.

By submitting a response to this Solicitation, Respondent agrees that, if Respondent does not mark the Original Solicitation Response, provide the required certification in the Affirmations and Solicitation Acceptance, and submit the Public Information Act Copy, Respondent’s Solicitation Response will be considered to be public information that may be released to the public without notice to the Respondent in any manner including, but not limited to, in accordance with the Public Information Act, posted on HHSC’ public website, and posted on the Legislative Budget Board’s public website.

If any or all Respondents submit partial, but not complete, information suggesting inclusion of confidential information and failure to comply with the requirements set forth in this section, HHSC, in its sole discretion and in any Solicitation, reserves the right to (1) disqualify all Respondents that fail to fully comply with the requirements set forth in this section, or (2) to offer all Respondents that fail to fully comply with the requirements set forth in this section additional time to comply.

Respondent should not submit a Public Information Act Copy indicating that the entire Solicitation Response is exempt from disclosure. Merely making a blanket claim that the entire response is protected from disclosure because it contains any amount of confidential, proprietary, trade secret, or privileged information is not acceptable, and may make the entire Solicitation Responses subject to release under the PIA.

A Solicitation Response should not be marked or asserted as copyrighted material. If Respondent asserts a copyright to any portion of its response, by submitting a response, Respondent agrees to reproduction and posting on public websites by the State of Texas, including HHSC and all other state agencies, without cost or liability.

HHSC will strictly adhere to the requirements of the PIA regarding the disclosure of public information. As a result, by participating in this Solicitation process, Respondent acknowledges that all information, documentation, and other materials submitted in the Solicitation Response in response to this Solicitation may be subject to public disclosure under the PIA. HHSC does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the PIA and by rulings of the Office of the Texas Attorney General. Respondents are advised to consult with their legal counsel concerning disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. HHSC assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Respondents.

For more information concerning the types of information that may be withheld under the PIA or questions about the PIA, please refer to the most current Public Information Act Handbook published by the Office of the Texas Attorney General or contact the attorney general's Open Government Hotline at (512) 478-OPEN (6736) or toll-free at (877) 673-6839 (877-OPEN TEX). To access and download the current Public Information Act Handbook, please visit the attorney general's website at [The Office of the Attorney General of Texas Public Information Handbook | 2024](#)

8.1.6 Respondent Waiver – Intellectual Property

SUBMISSION OF ANY DOCUMENT TO HHSC IN RESPONSE TO THIS SOLICITATION CONSTITUTES AN IRREVOCABLE WAIVER AND AGREEMENT BY RESPONDENT TO FULLY INDEMNIFY THE STATE OF TEXAS, HHSC FROM

ANY CLAIM OF INFRINGEMENT BY HHSC REGARDING THE INTELLECTUAL PROPERTY RIGHTS OF RESPONDENT OR ANY THIRD PARTY FOR ANY MATERIALS SUBMITTED TO HHSC BY RESPONDENT.

8.1.7 Standards of Conduct for Vendors

Pursuant to [Title 1 of the Texas Administrative Code Part 15, Chapter 391, Subchapter D, Rule §391.405\(a\)](#), Contractors, Respondents, and vendors interested in working with HHSC are required to implement standards of conduct for their own personnel and agents on terms at least as restrictive as those applicable to HHSC. These standards must adhere to ethics requirements adopted in rule, in addition to any ethics policy, or code of ethics approved by the HHSC Executive Commissioner. A Respondent must sign and submit all ethics, disclosure, confidentiality, and other forms required under the procurement and any resulting contract.

The standards of conduct must include the ten standards of ethical conduct set forth in Section I of the [HHS Ethics Policy](#) and requirements to comply with ethical standards set forth in federal and state law (including, but not limited to, [Title 1 of the Texas Administrative Code Part 15, Chapter 391, Subchapter D, Rule §391.405\(a\)](#)).

Standards of conduct of any Contractor, Respondent, or vendor may be reviewed and/or audited by the State Auditor and HHSC. The Contractor, Respondent, or vendor must cooperate with the review and/or audit. Additionally, pursuant to [Title 1 of the Texas Administrative Code Part 15, Chapter 391, Subchapter D, Rule §391.405\(a\)](#), HHSC may examine a Respondent's standards of conduct in the evaluation of a bid, offer, proposal, quote, or other applicable expression of interest in a proposed purchase of Goods or Services.

Any vendor, Contractor, or Subcontractor, that violates a provision of [Title 1 of the Texas Administrative Code Part 15, Chapter 391, Subchapter D](#) may be barred from receiving future contracts or have an existing contract canceled. Additionally, HHSC may report the vendor's actions to the Comptroller of Public Accounts for statewide debarment, or law enforcement.

Pursuant to [Section 2252.908 of the Texas Government Code](#), a successful Respondent to be awarded a Contract with a value of \$1 million or more or awarded a Contract that would require the successful Respondent to register as a lobbyist under [Texas Government Code Chapter 305](#) must submit a disclosure of interested parties form to HHSC at the time the Respondent submits the signed Contract. Rules and filing instructions may be found on the Texas Ethics Commission's public website and additional instructions will be given by HHSC to the successful Respondent.

8.2 INSURANCE

8.2.1 Required Coverage

For the duration of any Contract resulting from this Solicitation, the successful Respondent must acquire insurance, bonds, or both, if applicable with financially sound and reputable independent insurers, in the type and amount listed in **Exhibit H, Insurance Review Requirements**. Failure to maintain insurance coverage or acceptable alternative methods of insurance must be deemed a breach of Contract.

8.2.2 Alternative Insurability

Notwithstanding the preceding, HHSC reserves the right to consider reasonable alternative methods of insuring the Contract in lieu of the insurance policies customarily required. It will be the Respondent's responsibility to recommend to HHSC alternative methods of insuring the Contract. Any alternatives proposed by Respondent should be accompanied by a detailed explanation regarding Respondent's inability to obtain the required insurance and/or bonds. HHSC must be the sole and final judge as to the adequacy of any substitute form of insurance coverage.

8.3 PROTEST

Any protest must be governed by the rules published by HHSC in the [Texas Administrative Code Title 1, Part 15, Chapter 391, Subchapter C \(Protests\)](#).

ARTICLE IX. LIST OF EXHIBITS

<u>EXHIBIT A</u>	HHS SOLICITATION AFFIRMATIONS, VERSION 2.10
<u>EXHIBIT B</u>	HEALTH AND HUMAN SERVICES (HHS) UNIFORM TERMS AND CONDITIONS – VENDOR, VERSION 3.4
<u>EXHIBIT C</u>	HEALTH AND HUMAN SERVICES (HHS) ADDITIONAL PROVISIONS, VERSION 1.0
<u>EXHIBIT D</u>	DATA USE AGREEMENT (DUA), VERSION 8.5
<u>EXHIBIT D-1</u>	ATTACHMENT 2 TO THE DUA, SECURITY AND PRIVACY INQUIRY (SPI), (VERSION 2.1)
<u>EXHIBIT E</u>	EXCEPTIONS FORM
<u>EXHIBIT F</u>	ASSUMPTIONS FORM
<u>EXHIBIT G</u>	SUBCONTRACTING PLAN REQUIREMENTS
<u>EXHIBIT H</u>	INSURANCE REVIEW REQUIREMENTS
<u>EXHIBIT I</u>	ASSURANCES – NON-CONSTRUCTION PROGRAMS, VERSION 1.1
<u>EXHIBIT J</u>	CERTIFICATION REGARDING LOBBYING
<u>EXHIBIT K</u>	FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA).
<u>EXHIBIT L</u>	EVALUATION TOOL
<u>EXHIBIT M</u>	HHS ONLINE BID ROOM INFORMATION
<u>EXHIBIT N</u>	COST PROPOSAL
<u>EXHIBIT O</u>	JOB DESCRIPTIONS
<u>EXHIBIT P</u>	MANAGED SERVICES STAFF METRICS
<u>EXHIBIT Q</u>	REQUIREMENTS TRACEABILITY MATRIX (RTM)
<u>EXHIBIT R</u>	TRANSITION STAFFING SCHEDULE
<u>ATTACHMENT A</u>	CANDIDATE ACKNOWLEDGMENT OF REQUIREMENTS
<u>ATTACHMENT B</u>	CORRECTIVE ACTION PLAN (CAP)
<u>ATTACHMENT C</u>	MONTHLY STAFFING REPORT
<u>ATTACHMENT D</u>	OPERATIONAL READINESS CHECKLIST
<u>ATTACHMENT E</u>	STAFF CHANGE MASTER NOTICE EMAIL TEMPLATE
<u>ATTACHMENT F</u>	MANAGED SERVICES STAFF REQUEST

<u>ATTACHMENT G</u>	PROPERTY DAMAGE NOTICE EMAIL TEMPLATE
<u>ATTACHMENT H</u>	CANDIDATE COVER SHEET
<u>ATTACHMENT I</u>	POST MEETING REPORT
<u>ATTACHMENT J</u>	WEEKLY TRANSITION STATUS REPORT