

**NEW MEXICO HIGHLANDS UNIVERSITY (NMHU)  
REQUEST FOR PROPOSAL # 23-001  
HEALTH INSURANCE FOR INTERNATIONAL STUDENTS  
NIGP 95348**

**This Request for Proposal is to establish a contract with a qualified provider of health insurance services for hospitalization and medical insurance. The primary participants will be international students.**

**Date RFP Issued:  
Wednesday, June 15,  
2022**

**Date and Time RFP Is Due: Prior to 2:00 pm  
local time on Wednesday, July 13, 2022**

**NMHU Point-of-Contact:  
Aaron Flure, CPO  
Director of Purchasing**

**Phone Number:**  
(505) 454-3053

**Fax Number:**  
(505) 454-3109

**Email:**  
[aflure@nmhu.edu](mailto:aflure@nmhu.edu)

**RFP CONDITIONS**

NMHU is seeking responses (Proposal) for the performance of Services requested in this Request for Proposal Number 23-001, its attachments and subsequent addendums (RFP). Your (Proposer) Proposal is to provide responses to all of the requirements set forth within the RFP.

NMHU may accept Proposals, in whole or in part that most closely meets all the criteria described herein. NMHU reserves the right to cancel this RFP in whole or in part at any time if it is in its best interests. An award will not be based solely on the best fee proposal; instead it will be based on several weighted criteria.

The successful Proposer (Contractor) will enter with NMHU into a binding agreement to the agreed upon terms and conditions made in writing. If an award is made NMHU will issue to Contractor a purchase order. Services are not to be provided until a purchase order is issued.

Proposals submitted in response to this RFP shall represent a firm offer to contract on all the terms and conditions described in this RFP and its addendums. Each representation of fact and promise of future performance therein will be incorporated into the agreement as a warranty or covenant.

For definitions or clarifications to terms refer to Section VI. of this document. For those terms that are not included within this document submit your request for clarifications as listed in the first paragraph of the next page.

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**ACCEPTANCE OF TERMS AND CONDITIONS OF RFP FORM**

During the period of the bidding, your points of contact (POC) will be limited to Aaron Flure, Director of the Purchasing Department. He has been designated as the contact person for this RFP. No Proposer may contact any NMHU employee, officer or member of the Board of Regents other than Mr. Flure regarding this RFP through the date of the Contract. Any Proposer who makes such unauthorized contact shall be deemed to have violated the terms and conditions of this RFP and Proposer's offer may be rejected as a result. Questions regarding the RFP should be submitted in writing via email to the POC. Any question, statement or response from the POC or other individual from NMHU that is not submitted and responded to in writing will not be incorporated into the Contract, RFP & attachments and addendums. NMHU will not be responsible for any misinterpretations, discrepancies or contradictory information that Proposer may claim if correspondences for clarification are not submitted to and received in writing. Every effort will be made to respond to your questions within a timely manner. The question and response will be shared with all Proposers, with personal information removed to ensure anonymity.

By signing below Proposer signifies that he understands all of the terms and conditions of the resultant Contract, this RFP & its Attachments and all subsequent addendums and agrees to cause himself or his company to be bound by them. Only an authorized agent of the Proposer's company may sign this document.

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Name of Firm

---

Authorized Representative Name

---

Title

---

Signature

---

Date

**Provide point of contact of Proposer:**

---

Name

---

Title

---

Mailing Address

---

Telephone Number

---

Fax Number

Email Address \_\_\_\_\_

## I. GENERAL INFORMATION

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### PROPOSAL SCHEDULE

#### ALL DATES AND TIMES ARE SUBJECT TO CHANGE

Issuance of RFP	June 15, 2022
Last Day to Submit Requests for Clarification	to be received by 5 pm on July 05, 2022
Proposal Submittal Deadline	prior to 2 pm on July 13, 2022
Evaluations of Proposals	approximately three to four business days
Notice to Proceed with Negotiations	following completion of evaluations
Award of Contract	following successful negotiations
Commencement of Services	August 1, 2022

## **II. BACKGROUND AND SCOPE OF WORK**

### **2.1 BACKGROUND**

NMHU is a state-funded institution of higher education primarily serving northeastern New Mexico, but has a diverse student population from throughout the U.S. and from foreign nations. NMHU's main campus located in Las Vegas, New Mexico. It currently serves other communities within the state via distance education technologies. NMHU is an open enrollment university with students from throughout the country and numerous other nations.

### **2.2 PURPOSE**

NMHU's objective is to contract with an insurance program administrator to provide an affordable insurance product supported by high quality services and efficient claims processing.

Proposer is allowed and recommended to offer more than one option of coverages. NMHU staff would like to have the opportunity to review multiple options to make a determination based on the coverages, limitations, costs and other pertinent criteria as listed within this RFP.

### **2.3 SCOPE OF SERVICES**

- A.) The Proposer is to provide the following as a minimum:
  - 1.) Medical evacuation;
  - 2.) Repatriation benefits;
  - 3.) Accidental death;
  - 4.) Dismemberment benefits; and
  - 5.) Medical benefits for accident and sickness.
- B.) It is recommended that Proposer provide options to include the following:
  - 1.) Vision;
  - 2.) Dental; and
  - 3.) Prescription card program.

### **2.4 CLASSIFICATIONS OF ELIGIBLE PERSONS**

- A.) All international students with F-1 and J-1 non-immigrant visa categories, as appropriate (and potentially their immediate family or dependents).

### **2.5 PLAN TERMS AND CONDITIONS**

- A.) The insurance plan is to comply with all state and federal laws, regulations and rules required of F-1 and J-1 visa holders. The Contractor is responsible for understanding and ensuring compliance with all such laws, regulations and rules;
- B.) International students will be required to participate in this plan. NMHU will make the determination of waiver of students;

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- C.) If any of the requirements and/or requests of this RFP are incorrect specify within your Proposal the correct requirements and/or allowable options;
- D.) NMHU staff will be responsible for administering the program locally for students and will be administered by NMHU's International Education Services Department;
- E.) All students must first utilize the NMHU Student Health Center as a service provider for students. Students are to obtain a referral for specialized treatment from the NMHU Student Health Center;
- F.) NMHU will collect premiums from each participant.
  - 1.) NMHU is to be invoiced once final enrollment has been determined by NMHU and submitted to contractor for the fall, Spring and spring/summer semesters based on the number of students submitted to the roster sheet.
  - 2.) NMHU will submit a check to Contractor following receipt and acceptance of an invoice, and
  - 3.) At the end of each semester Contractor is to submit to NMHU a report showing the actual member count of participants for the respective semester. The campus is to be invoiced for the remaining amount due at this time.
- G.) Research scholars, Short Term Scholars, Professors and their dependents holding a J-1 or J-2 visa will be allowed to enroll and be covered by the plan.
- H.) Claims submitted accurately and completely must be paid within ten (10) working days of submission. Requests for additional information by NMHU staff, those insured and medical providers are to be submitted by the Contractor to the requestor within ten (10) business days of receipt;
- I.) Contractor must begin to pay claims from the effective date of the policy. If a student's name has not been received on an enrollment roster Contractor must contact NMHU for written verification of the enrollment of that individual;
- J.) The initial policy year will begin on July 31, 2022 and end on July 30, 2023.

Policy periods within each year are to be as follows:

  - a. July 31<sup>st</sup> – December 31<sup>st</sup> (fall semester)
  - b. January 1<sup>st</sup> – May 31<sup>st</sup> (spring semester)
  - c. June 1<sup>st</sup> – July 31<sup>st</sup> (summer semester)
  - d. January 1<sup>st</sup> – July 30<sup>th</sup> (Spring/summer semester)
- K.) When current and upcoming changes in provider and recipient laws are made the successful provider and NMHU may submit to the other proposed changes to any of the terms and conditions of the Contract. Both provider and NMHU are required to agree to any changes in writing. If both are not in agreement with the proposed changes either party may cancel the resultant Contract and must provide in writing to the other party the cancellation of the Contract. The existing plan must be offered for an additional sixty (60) days following receipt of the written notice; and
- L.) Proposer may submit more than one (1) option for NMHU to consider.
- M.) Plan offerings must include digital reporting capabilities. (Account logins, account

information, plan information on a website, etc.).

## 2.6 REQUIRED INFORMATION

The Proposal is to include the following information at a minimum:

- A.) Full descriptions of costs, benefits and limitations;
- B.) Specific conditions under which insurance coverage is afforded, including specific services that are covered and/or excluded;
- C.) Should a Proposer be underwritten for any portion of the protection to be afforded herein, the identity and portion of such underwriting or guarantee shall be clearly identified in the proposal and such underwriter or insurance company must be licensed to do business in the State of New Mexico. An official letter confirming the relationship is to be provided;
- D.) Proposer is to clearly identify all responsible parties presenting the Proposal and their locations. These parties identified should include the following: primary insurance company, reinsurance company, premium and claim administrators, service agent, and any other responsible party;
- E.) Proposer is to include detailed information regarding its qualifications, including all of the company's administrators, agents, and any other responsible parties,
- F.) Proposer is to provide at least three references showing the successful completion of similar group insurance programs to clearly indicate the capability to perform the services as required of this RFP. Proposer is to provide a list of all colleges and universities to which they have provided coverage in the past five years. The list is to include the name, address, contact person of the institution and the years the contract was in effect.
  - 1.) Indicate which of the contracts your company has lost and the reason for which it was lost, and
  - 2.) Following completion of a contract state why your company did not submit a proposal for an extension.
- G.) Proposer is to provide a list of managerial staff to be assigned to NMHU and include their qualifications;
- H.) Proposer, all reinsurance providers, administrative agencies, and brokers must be licensed by the State of New Mexico to perform business in the health insurance business. Provide proof of licensure within the State of New Mexico;
- I.) Explain how it intends to use its current technology to provide enhanced services to participants and NMHU. (Website portal, reporting capabilities, any digital platforms.)
- J.) Listing of all current Primary Care Physicians and Specialists within your company's network that are located within ten (10) miles of the boundaries of Las Vegas, NM. Contact information must be provided for each;
- K.) Specify whether and how a 'pre-notification/certification' may be required; and
- L.) Proposer and additional provider's identities.
  - 1.) Servicing Broker/Agency,
    - i. Title and Name of Individual;
    - ii. Name of Agency;
    - iii. Address;
    - iv. Phone Number;

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- v. Toll Free Number;
  - vi. Fax Number;
  - vii. Email Address;
  - viii. Website Address; and
  - ix. Hours of Operation.
- 2.) Administrator; Premium collection and Claim Payments
- i. Title and Name of Individual (Principal);
  - ii. Name of Agency;
  - iii. Address;
  - iv. Phone Number;
  - v. Toll Free Number;
  - vi. Fax Number;
  - vii. Email Address;
  - viii. Website Address; and
  - ix. Hours of Operation.

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- 3.) Primary Insurance Company
  - i. Title and Name of Individual;
  - ii. Name of Agency;
  - iii. Address;
  - iv. Phone Number;
  - v. Toll Free Number;
  - vi. Fax Number;
  - vii. Email Address;
  - viii. Website Address;
  - ix. Hours of Operation;
  - x. Percentage of Risk Assumed; and
  - xi. Current AM Best Rating.
- 4.) Reinsurance Company
  - i. Title and Name of Individual;
  - ii. Name of Agency;
  - iii. Address;
  - iv. Phone Number;
  - v. Toll Free Number;
  - vi. Fax Number;
  - vii. Email Address;
  - viii. Website Address;
  - ix. Hours of Operation;
  - x. Percentage of Risk Assumed; and
  - xi. Current AM Best Rating.
- 5.) Reinsurance Company
  - i. Title and Name of Individual;
  - ii. Name of Agency;
  - iii. Address;
  - iv. Phone Number;
  - v. Toll Free Number;
  - vi. Fax Number;
  - vii. Email Address;
  - viii. Website Address;
  - ix. Hours of Operation;
  - x. Percentage of Risk Assumed; and
  - xi. Current AM Best Rating.

## 2.7 SERVICE REQUIREMENTS

**Contractor is to provide the following at its cost:**

- A.) Printing and mailing descriptive brochures outlining medical insurance coverage to NMHU and its Student Health Center. The approximate number of brochures is 500 (five hundred) annually. The brochures are subject to the approval of NMHU staff and must be distributed to the NMHU campus by the Contractor no later than July 31<sup>th</sup> of the next policy year (example: July 31, 2023 for the August 2023-2024 policy year). Separate brochure/applications must be provided for dependent enrollments, as well as for evacuation/repatriation and any other material that will



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be required by NMHU. Brochures must indicate coverage dates, phone numbers, web site assistance and claim forms;

- B.) Contractor is responsible for providing insurance enrollment rosters, claim forms and waiver forms;
- C.) Contractor is to provide temporary and permanent insurance identification cards (ID card) within ten (10) days of Contractor's receipt of student and athletic rosters or dependent applications. Distribution must be to the participant's local address or to the Contract Administrator(s) as directed by NMHU. ID cards must indicate coverage dates, phone numbers, and web site assistance;
- D.) Timely alphabetized lists of enrollees to be transmitted to the Contract Administrator(s);
- E.) A direct toll-free telephone to the Plan Administrator (premium and claim) for use by the students/scholars and NMHU staff. It is to be in service at a minimum of 9 am to 5 pm mountain standard time all days of the week;
- F.) A toll-free telephone to the agent responsible for service;
- G.) A dedicated website for enrollees to obtain information.
- H.) An account login for University to view current account info, claims, and premiums paid to date.
- I.) An international number for assistance overseas;
- J.) Dedicated customer service representatives for NMHU;
- K.) Dedicated web sites for both student participants in the plan and NMHU staff;
- L.) Information regarding on-line access to the network of health-care providers both inside and outside of the U.S.;
- M.) Certified loss ratio figures and descriptive reports for NMHU on a quarterly basis. They are to show paid claims and open reserves for NMHU in total. These reports must continue as long as claim activity exists; an online portal that has access to this information is strongly preferred.
- N.) A detailed operation manual for each NMHU insurance administrator providing information on coverage, limits, premiums, and procedures for processing claims;
- O.) Annual regional training and updates to review all aspects of the program;
- P.) Additional reasonable assistance to NMHU staff and insured as needed;
- Q.) Participants enrolling within the first month of eligibility for the insurance policy must be accepted for coverage. Participants are enrolled periodically throughout the year as some students will enter the U.S. later than the first day of classes during any semester. J-1 visa holding participants and scholars may enter at any time during any given semester. If a participant obtains insurance through the program he/she will be charged at a pro-rated charge. Under special circumstances, if a student is to leave the U.S. for summer vacation, the student may request to have insurance coverage for a shorter term and will be charged at a pro-rated charge; and

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- R.) At a minimum, 1 (one) on-campus visit to explain the plan options to prospective students. The visit will include at a minimum, 2 (two) sessions. The anticipated date for the on-campus visit is August 25, 2022. This date may be changed. If a change to this date is needed, the NMHU Plan Administrator(s) will communicate with the successful Proposer to revise the date which is to be made upon mutual agreement.

### **III. GENERAL TERMS AND CONDITIONS**

#### **3.1 AWARD**

- A.) In accordance with the State of New Mexico “Procurement Code”, §13-1-28 through §13-1-199 N.M.S.A., NMHU reserves the right to make an award to the proposer which provides the services in its best interests and will not make the award to the Proposer with the lowest fee. The RFP will be evaluated based on all criteria listed in this RFP, attachments and its addendums; and
- B.) In accordance with §13-1-115 N.M.S.A. 1978 NMHU reserves the right to negotiate with Proposers. Issuance of an intent to negotiate with a Proposer does not guarantee an award. An Award will be made only after NMHU and Proposer complete successful negotiations.

#### **3.2 LENGTH OF PROPOSAL**

The Proposal is not to exceed seventy-five (75) pages. The following will not count towards the limit of seventy-five (75) pages:

- A.) Acceptance of Terms and Conditions of RFP form (page 2 of this RFP)
- B.) Completed RFP attachment forms;
- C.) Sample student handbook, if provided but not required; and
- D.) Cover Letter of Proposal.

#### **3.3 PERIOD OF PERFORMANCE**

The resultant Contract term shall be August 1, 2022 through July 31, 2023. Subsequent renewals may be extended upon mutual agreement of both NMHU and Contractor. The agreement may be extended for up to an additional three (3) years and are to be made in one (1) year extensions. Extensions must be made in writing and signed by authorized representatives of both parties.

#### **3.4 PRICING**

- A.) Proposer may submit their pricing schedule on the Fee Proposal Form (Attachment 4), or in their own format;
- B.) Any revision in rates must be justified and made available for NMHU’s review and approval a minimum of six (6) months prior to the beginning of each new contract year. While NMHU recognizes the right of the carrier to quote renewal premiums after the third year, it is expected that such premiums will be based on precise claim experience. The carrier is also to discuss with NMHU the assumptions and methodology used in the rate development and is to provide it in writing.

#### **3.5 ADDENDUMS**

Addendums made following the execution of the Contract and issuance of a purchase order may be made upon mutual agreement by NMHU and Contractor and shall be made in writing;

#### **3.6 REQUIRED AND INFORMATIONAL FORMS**

- A.) The following are to be completed and submitted with your Proposal
  - 1.) Completed Acceptance of Terms and Conditions of RFP Form (page 2 of this RFP);
  - 2.) Addendum(s) Acknowledgement Form (Attachment 1);

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- 3.) Supplier Conflict of Interest and Debarment/Suspension Certification Form (Attachment 2);
- 4.) Campaign Contribution Disclosure Form (Attachment 3),
- 5.) Fee Schedule Form (Attachment 4); and
- 6.) Resident Veterans Preference Certification Form, if applicable (Attachment 5).

B.) Informational Documents

- 1.) Advertisement (Attachment 6).

**3.7 HOURS OF OPERATION**

NMHU's standard operating hours are 8 am to 5 pm local time Monday through Friday. The following days are recognized as holidays for NMHU staff:

Dr. Martin Luther King Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; day after Thanksgiving Day; and Christmas and New Year's break. All holidays are subject to change and will be announced to Contractor.

**3.8 SUBCONTRACTOR OR ADDITIONAL SERVICE PROVIDERS**

- A.) Contractor may, in writing, subcontract or other service providers a portion of the Services upon written approval of NMHU staff. Subcontractor(s) are to comply with the same requirements expected of Contractor. NMHU will not involve itself, or be financially responsible for, if a conflict arises between Contractor and subcontractors. If a conflict does so arise Contractor will have sole responsibility to perform all Services in accordance with the terms and conditions of the Contract, this RFP and its addendums and amendments; and
- B.) NMHU reserves the right to have Contractor replace a subcontractor for any Services if NMHU finds that it is in its best interest.

**3.9 INSURANCE REQUIREMENTS**

- A.) The Contractor will be required to maintain at its cost, the minimum following insurance coverage for the duration of any subsequent Contract and shall provide a Certificate of Insurance, listing NMHU as additional insured with the following language: **"New Mexico Highlands University (NMHU) is recognized as additional insured for NMHU Request for Proposal Number 18-007-4."** This insurance is to be issued by an insurer licensed by the State of New Mexico Department of Insurance with a rating of at least "A-" as published with Standard & Poor's. If during the term of the policy the carrier's rating falls below "A-", the liability insurance must be replaced no later than the renewal date of the policy with an insurer acceptable to NMHU. Two hundred thousand dollars (\$200,000) in Worker's Compensation Insurance,
- 1.) Two million dollars (\$2,000,000) in Commercial General Liability Insurance, or the equivalent, per occurrence. The policy shall include coverage for bodily injury liability, broad form property damage liability, blanket contractual, contractor's protective, products liability and completed operations. Where applicable, the policy shall include coverage for the hazards commonly referred to as "XCU.",

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- 2.) Five hundred thousand dollars (\$500,000) in Business Automobile Liability Insurance, or the equivalent, per accident with respect to Contractor's vehicles whether owned, hired, or non-owned, assigned to or used in the performance of any Services, and
  - 3.) Five hundred thousand dollars (\$500,000) in Umbrella/Excess Liability Insurance liability coverage per occurrence and five hundred thousand Dollars (\$500,000) policy aggregate.
- B.) Contractor's Insurer is to provide to NMHU a Certificate of Insurance within ten (10) days following the date the Contract is fully executed by both parties. When coverages expire Contractor's, Insurer is to provide to NMHU an updated Certificate of Insurance.

**3.10 AUTHORIZED AGENT**

Contractor agrees that the performance of all Services required under the terms and conditions of the RFP, addendums, Proposal and subsequent changes to the Contract are to be subject to the direction of NMHU or person designated by NMHU. Such person designated by NMHU shall be the Authorized Agent representative of NMHU.

All Services are to be performed only after the Authorized Agent has given approval to perform the Services. Prior permission is not necessary when the Services are to prevent an imminent threat to the safety or health of any individual or to preserve or protect NMHU property. Following such Services Contractor is to notify the Authorized Agent of the emergency situation and the actions performed. All information or direction desired or required by the Contractor for the performance of his Services hereunder shall be obtained from said Authorized Agent and representative.

**3.11 CUSTOMER AND GUEST RELATIONS**

The NMHU campuses regularly have staff, faculty, students and guests on its main campus, branches and sites. Contractor must ensure that its employees are aware that they are to perform Services in a professional manner at all times. If Contractor finds that an employee(s) is not performing Services in a professional manner they must be removed from the job site and are not to perform any additional work until NMHU personnel have approved the return to work. If NMHU finds one of Contractor's employees to not be performing the Services in a professional manner NMHU will inform the supervisor. In this event Contractor is to immediately remove its employee from the work site.

**3.12 APPLICABLE LAWS**

Contractor represents that the Contractor has familiarized itself with all applicable federal and state laws, local ordinances and regulations and the rules and regulations of all authorities having jurisdiction over the Services described herein. The Contract, RFP and its attachments, addendums and the Proposal will be governed by the laws of the State of New Mexico.

**3.13 TAXES**

- A.) Gross Receipts Taxes.  
NMHU is required to pay gross receipts taxes for Services received.
- B.) Other taxes

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The Contractor shall be solely responsible to pay any and all federal, state and local taxes which may be assessed against Contractor in its operation.

**3.14 INVOICING AND PAYMENTS**

- A.) Upon certification and acceptance of Services NMHU will issue payment no later than thirty (30) days following the date of certification. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. After the thirtieth (30<sup>th</sup>) day from the date that written certification of acceptance is issued, late payment charges shall be paid on the unpaid balance due on the Contract to the Contractor at the rate of one and one-half percent (1½%) per month.
- B.) If NMHU finds that any of the Services performed are not acceptable payment will be held on the portion of work that is unacceptable. If NMHU determines that any portion of the Services are not acceptable it is to submit to Contractor, within thirty (30) days of receipt of written notice from the Contractor that payment is requested for Services, provide the Contractor a letter of exception explaining the objection to the Services along with details of how the Contractor may proceed to provide remedial action.
- C.) Invoices are to be sent to:

New Mexico Highlands University  
Attn: Accounts Payable  
P.O. Box 9000  
Las Vegas, NM 87701

## IV. EVALUATION COMPONENTS

This section of the RFP contains specifications and other relevant information to be used by Proposers in preparation of their Proposal. Award of a Contract will not be based solely on cost.

Proposers shall ensure that all the information required herein be submitted with their Proposal. All information provided should be verifiable by documentation requested by NMHU. Failure to provide all information, inaccuracy or misstatement may be sufficient cause for rejection of the Proposal or rescission of a Contract. Proposers are encouraged to provide any additional information describing operational abilities.

All responsive Proposals will be reviewed independently by each member of the evaluation committee. Their evaluations will be based on the Proposal as a whole and will be scored solely on the requirements, data, information and related responses to the RFP.

### 4.1 QUALIFICATION COMPONENTS

Proposals will be scored based on the following criteria. The maximum number of points that may be awarded is one-hundred (100) points. If your company submits proposed insurance plans for the international students and athletes, they will be evaluated and scored separately. The committee will not combine the two together for one total score.

<b><u>Description</u></b>	<b><u>Weight</u></b>
<b>Health Insurance Benefits and Plan</b> Plan benefits including the ability to offer minimum J-1 requirements and offer policy to dependents of F1 and J-1 Visa Holders. Claims and customer management.	<b>30 Points</b>
<b>Medical Contacts in Network</b> Including Network Providers within the Las Vegas Community and Surrounding Areas and ability to accept NMHU's Student Health Center Services	<b>30 Points</b>
<b>Experience/References</b> Show Company experience working with similar Universities of size and Needs including staff qualifications. 3 References as noted in Section 2.6	<b>10 Points</b>
<b>Fee Proposal</b> Including cost of policy per student, co-pay cost to the student, ability to offer enrollment based on Semester (Fall, Spring, Summer) and invoice based on semester cost,	<b>30 Points</b>

## V. SUBMITTAL PROCEDURES

### 5.1 NUMBER OF PROPOSALS

**If not using online portal vendorregistry.com,** Proposer is to submit **five (5)** complete copies of their Proposal. If using online portal, vendor will submit one (1) copy electronically via portal.

### 5.2 COSTS INCURRED

Any cost incurred by the Proposer in preparation, delivery, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Proposer.

### 5.3 INSTRUCTIONS

#### A.) Instructions

- 1.) Proposals must be received in the NMHU main campus' Purchasing Department office (903 University Avenue, Las Vegas, NM) by the due date and time as listed on page one (1) of this RFP. If a Proposal is late NMHU will not accept it. Postmarked or estimated delivery dates issued by carriers will not be accepted as received by NMHU. Or; must be submitted through online portal prior to deadline.
- 2.) If not using online portal, all Proposals must be submitted in a SEALED envelope. Please write on the outer sealed envelope the following:

**"SEALED PROPOSAL #23-001 TO BE RECEIVED PRIOR TO  
July 13 2022 AT 2:00 PM"**

Failure to mark the sealed envelope may result in the Proposal being opened early or later and/or the Proposal may be declared non-responsive.

- 3.) NMHU is not responsible for Proposals lost during delivery regardless of means of delivery. Proposals may be accepted if received in a manner listed below and not delivered to the Purchasing Department office only when the error was made by NMHU personnel. NMHU will make this determination.
- 4.) Faxed and emailed Proposals will not be accepted.

#### B.) DELIVERY CAN BE MADE AS FOLLOWS

- 1.) **If via delivery in person:**  
New Mexico Highlands University  
Attn: Purchasing Department-RFP #23-001  
903 University Avenue  
Las Vegas, NM 87701
- 2.) **If via United States Postal Service:**  
New Mexico Highlands University  
Attn: Purchasing Department-RFP #23-001  
P.O. Box 9000  
Las Vegas, NM 87701
- 3.) **If via FedEx, United Parcel Service, or any other carrier:**  
New Mexico Highlands University  
Attn: Purchasing Department-RFP #23-001  
1005 Diamond Avenue



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Las Vegas, NM 87701

- 4.) **Online Proposal Submission**  
Vendorregistry.com

## VI. INSTRUCTIONS TO PROPOSERS

### 6.1 DEFINITIONS AND TERMS

- A.) **Addendum:** a written or graphic instrument issued prior to the opening of Proposals which clarifies, corrects, or changes the RFP. Plural: addenda.
- B.) **Determination:** means the written documentation of a decision of the Purchasing Agent including findings of fact required to support a decision. A determination becomes part of the procurement file to which it pertains (§13-1-52 N.M.S.A. 1978).
- C.) **Proposer:** any person, corporation, or partnership legally licensed to provide professional services in this state who chooses to submit a Proposal in response to this RFP.
- D.) **Purchasing Agent:** means the person or designee authorized by NMHU to manage or administer a procurement requiring the evaluation of proposals.
- E.) **RFP:** means all documents, including attachments, addendums or other documents incorporated by reference which are used for soliciting Proposals.
- F.) **Responsible Proposer:** means a Proposer who submits a responsive Proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the Services described in the RFP (§13-1-83 N.M.S.A. 1978).
- G.) **Responsive Proposal:** means a Proposal which conforms in all material respects to the requirements set forth in the RFP. Material respects of a RFP include, but are not limited to; price, quality, quantity or delivery requirements (§13-1-85 N.M.S.A. 1978).
- H.) The terms **must, shall, will, is required, or are required**, identify a mandatory item or factor. Failure to comply with a mandatory item or factor may result in the rejection of the Proposer's Proposal.
- I.) The terms **can, may, should, preferably, or prefers** identify a desirable or discretionary item or factor.

### 6.2 RFP DOCUMENTS

#### A.) COPIES OF RFPS

- 1.) A complete set of the RFP may be obtained from the NMHU Purchasing Office in a manner as described in the RFP Advertisement (Attachment 6).
- 2.) A complete set of the RFP shall be used in preparing proposals; NMHU assumes no responsibility for errors or misinterpretations resulting from the use of an incomplete set of the RFP.
- 3.) A copy of the RFP shall be made available for public inspection and shall be posted at the Purchasing Office of NMHU.

#### B.) INTERPRETATIONS

- 1.) All requests of clarification about the meaning or intent of the RFP shall be submitted in writing and to the POC. The date listed as the deadline for submitting questions is the date of receipt. Only questions answered by

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formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

- 2.) Proposers should promptly notify NMHU of any ambiguity, inconsistency, or error, which they may discover upon examination of the RFP.

**C.) ADDENDA**

- 1.) Addenda will be mailed, by facsimile or emailed to all whom are known by NMHU to have received a complete set of RFPs.
- 2.) Copies of Addenda will be made available for inspection wherever the RFP is on file for that purpose.
- 3.) Each Proposer shall ascertain, prior to submitting the Proposal, that the Proposer has received all Addenda issued, and shall acknowledge their receipt in the Proposal transmittal letter (Attachment 1).

**6.3 PROPOSAL SUBMITTAL PROCEDURES**

**A.) CORRECTION OR WITHDRAWAL OF PROPOSALS**

- 1.) A Proposal containing a mistake discovered before Proposal opening may be modified or withdrawn by a Proposer prior to the time set for Proposal opening by delivering written, telegraphic, or electronic notice to the location designated in the RFP as the place where Proposals are to be received.
- 2.) Withdrawn Proposals may be resubmitted up to the time and date designated for the receipt of Proposals, provided they are then fully in conformance with the RFP.

**B.) REJECTION OR CANCELLATION OF PROPOSALS**

A rejection or cancellation of this RFP may be made in accordance with §13-1-131 N.M.S.A. 1978.

**6.4. CONSIDERATION OF PROPOSALS**

**A.) RECEIPT, OPENING AND RECORDING**

- 1.) Proposals received on time will be opened in the presence of two (2) or more witnesses (NMHU employees), but will not be opened publicly.
- 2.) The contents of any proposal shall not be disclosed so as to be available to competing Proposers during the negotiation process (§13-1-115 N.M.S.A. 1978).

**B.) PROPOSAL EVALUATION**

- 1.) Proposals shall be evaluated on the basis of demonstrated competence and qualification for the type of Service required, and shall be based on the evaluation factors set forth in this RFP. For the purpose of conducting discussions, proposals may initially be classified as:
  - a.) acceptable, or
  - b.) potentially acceptable, that is, reasonably assured of being made acceptable, or
  - c.) unacceptable (Proposer whose Proposal is unacceptable shall be notified promptly).
- 2.) NMHU shall have the right to waive technical irregularities in the form of the Proposal of the Proposer, which do not alter the price, quality or quantity of the Services (§13-1-132 N.M.S.A. 1978).

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- 3.) If a Proposer who otherwise would have been issued an Award and Contract, is found not to be a responsible Proposer, a determination that the Proposer is not a responsible Proposer, setting forth the basis of the finding, shall be prepared by the Purchasing Agent. The unreasonable failure of the Proposer to promptly supply information in connection with an inquiry with respect to responsibility is grounds for a determination that the Proposer is not a responsible Proposer (§13-1-133 N.M.S.A. 1978).

4.) Selection Process

- a.) The evaluation of Proposals will be performed by an evaluation committee composed of representatives selected by the NMHU. The committee shall evaluate statements of qualifications and performance data submitted by Proposers in regard to the particular request.
- b.) The committee will select, rank in order of their qualifications which are most qualified to perform the required services: and may choose to have the finalist(s) make an oral presentation to the committee. The committee will determine the schedule for the oral presentations. All costs incurred by Proposer for the oral presentations will be borne on Proposer.

**C.) NEGOTIATIONS**

Proposers submitting Proposals may be afforded an opportunity for discussion and revision of Proposals. Revisions may be permitted after submissions of Proposals and prior to Award for the purpose of obtaining best and final offers. Negotiations may be conducted with responsible Proposers who submit Proposals found to be reasonably likely to be selected for Award (§13-1-115 N.M.S.A. 1978).

**D.) NOTICE OF AWARD**

After Award by NMHU, with reasonable promptness, a written Notice of Award shall be issued by NMHU to the Contractor and a letter of non-Award to the unsuccessful Proposers.

**E.) POST-PROPOSAL INFORMATION-PROTESTS**

Proposers wishing to submit a protest must do so in writing within fifteen (15) calendar days after knowledge of the facts or occurrences and shall be in accordance with §13-1-172 N.M.S.A. 1978 to §13-1-176 N.M.S.A. 1978.

**6.5 INSPECTION OF PUBLIC RECORDS**

- A.) Proposals and additional information and documentation submitted to NMHU will become its property.
- B.) All documents relating to this RFP, its attachments, addenda, a resultant Contract, accepted Proposals, emails, other correspondences and other documents within the RFP file will be subject to §14-2-1 through §14-2-12 N.M.S.A. 1978, the State of New Mexico's "Inspection of Public Records Act" (IPRA) Confidential information in accordance with the IPRA must be marked "CONFIDENTIAL".

ATTACHMENT 1

ADDENDUM ACKNOWLEDGEMENT FORM

ADDENDUM ACKNOWLEDGEMENT

In submitting this Proposal, Proposer represents that he has examined copies of all addenda listed below and has incorporated them into his Proposal:

Addendum Number	Date
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**ATTACHMENT 2**

**SUPPLIER CONFLICT OF INTEREST AND  
DEBARMENT/SUSPENSION CERTIFICATION FORM**

**Conflict of Interest**

- 1.) No employee or Regent of New Mexico Highlands University has a direct or indirect interest in the Contractor or in the proposed transaction (unless Contractor is a publicly traded company and the employee or Regent's interest is less than one percent (1%) of the Contractor);
- 2.) Contractor neither employs nor is negotiating to employ any NMHU employee or member of the NMHU Board of Regents;
- 3.) Contractor did not participate directly or indirectly in the preparation of specifications upon which the Proposal is made;
- 4.) If the Contractor is a New Mexico State Legislator or if a New Mexico State Legislator holds a controlling interest in Contractor, please identify Legislator(s):  
\_\_\_\_\_;
- 5.) List below the name and social security number of any employee of the Contractor or person assisting in the proposed transaction in any way who was a NMHU employee within the preceding twelve (12) month period; and
- 6.) In accordance with NMHU policy, an award cannot be made to a firm in which current or recent (employed within the last twelve [12] months) NMHU employees have a controlling interest.

**Debarment/Suspension Status**

- 1.) The Contractor certifies that it is not suspended, debarred or ineligible from entering into contracts with the Executive Branch of the Federal Government, or in receipt of a notice or proposed debarment from any Agency; and
- 2.) The Contractor agrees to provide immediate notice to the NMHU Purchasing Department in the event of being suspended, debarred or declared ineligible by any department or Federal Agency, or upon receipt of a notice of proposed debarment that is received after the submission of the Proposal but prior to the award of the purchase order or contract.

**Certification**

The undersigned hereby certifies that he/she has read the above Conflict of Interest and Debarment/Suspension Status requirements and that he/she understands and will comply with these requirements. The undersigned further certifies that they have the authority to certify compliance for the Contractor named below.

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Name Typed: \_\_\_\_\_ Date: \_\_\_\_\_

Company: \_\_\_\_\_ City: \_\_\_\_\_

Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**ATTACHMENT 3**

**CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Pursuant to the Procurement Code, Sections §13-1-28, et seq., N.M.S.A. 1978 and N.M.S.A. 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective Contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two (2) years prior to the date on which the Contractor submits a Proposal or, in the case of a sole source or small purchase contract, the two (2) years prior to the date the Contractor signs the Contract, if the aggregate total of contributions given by the prospective Contractor, a family member or a representative of the prospective Contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two (2) year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed Award for a proposed Contract pursuant to Section §13-1-181 N.M.S.A. 1978 or a Contract that is executed may be ratified or terminated pursuant to Section §13-1-182 N.M.S.A. 1978 of the Procurement Code if: 1) a prospective Contractor, a family member of the prospective Contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective Contractor.

**THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.**

The following definitions apply:

**“Applicable public official”** means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

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**“Campaign Contribution”** means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

**“Family member”** means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective Contractor, if the prospective Contractor is a natural person; or (b) an owner of a prospective Contractor.

**“Pendency of the procurement process”** means the time period commencing with the public notice of the request for proposals and ending with the Award of the Contract or the cancellation of the request for proposals.

**“Prospective Contractor”** means a person or business that is subject to the competitive sealed Proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

**“Representative of a prospective Contractor”** means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective Contractor.

Name(s)            of            Applicable            Public            Official(s)            if            any:

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(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: \_\_\_\_\_

Relation to Prospective Contractor: \_\_\_\_\_

Date Contribution(s) Made: \_\_\_\_\_

Amount(s) of Contribution(s) \_\_\_\_\_



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Nature of Contribution(s) \_\_\_\_\_

Purpose of Contribution(s) \_\_\_\_\_

**(Attach extra pages if necessary)**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (position)

**--OR--**

**NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE** to an applicable public official by me, a family member or representative.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (Position)

**ATTACHMENT 4**

**FEE SCHEDULE FORM**

**Class 1 - Rates for international students with F-1 and J-1 non-immigrant visa categories,  
as appropriate (and potentially their dependents);**

Annual Rate                      \$ \_\_\_\_\_

Monthly Rate                    \$ \_\_\_\_\_

Administration or Setup Fees                    \$ \_\_\_\_\_

**ATTACHMENT 5**

**RESIDENT VETERANS PREFERENCE CERTIFICATION FORM**

\_\_\_\_\_(NAME OF CONTRACTOR/PROPOSER)  
hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

**Please check one only**

\_\_\_\_\_ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

\_\_\_\_\_ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

\_\_\_\_\_ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

"I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty or perjury that during the last calendar year starting January 1, and ending on December 31, the following to be true and accurate:

"In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections §13-1-21 or §13-1-22 N.M.S.A. 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

"I understand that knowingly giving false or misleading information on this report constitutes a crime."

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.

\_\_\_\_\_  
(Signature of Business Representative)\*

\_\_\_\_\_  
(Date)

\*Must be an authorized signatory for the business.

The representations made in checking the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award of the procurement involved if the statements are proven to be incorrect.

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ATTACHMENT 6

NEW MEXICO HIGHLANDS UNIVERSITY  
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**NIGP Code 95348**

New Mexico Highlands University (NMHU) will accept proposals for its HEALTH INSURANCE FOR INTERNATIONAL STUDENTS Request for Proposal Number 23-001.

All proposals must be in NMHU's Purchasing Department prior to 2:00 pm local time on Wednesday, July 13, 2022, **or submitted through our online portal before deadline.** Proposals received after that time will not be accepted. Proposals will not be opened publicly.

All proposals shall comply with the New Mexico Procurement Code, and applicable federal, State and local laws. NMHU reserves the right to accept, reject, and issue awards in part or in full if it is in its best interests.

RFP 23-001 will be available and solicited through Vendor Registry at: <https://vrapp.vendorregistry.com>.

RFP documents can also be obtained by emailing [rfp@nmhu.edu](mailto:rfp@nmhu.edu), or contacting Aaron Flure at [aflure@nmhu.edu](mailto:aflure@nmhu.edu) or 505-454-3053 or Paula Bustamante at [pjbustamante@nmhu.edu](mailto:pjbustamante@nmhu.edu) or 505-454-3249.

To register at Vendor Registry, follow three steps below:

1. [www.nmhu.edu/purchasing-department](http://www.nmhu.edu/purchasing-department)
2. Click "Information for Vendors Link"
3. Click Vendor Registration, complete instructions