



**THE NEW MEXICO HEALTH INSURANCE EXCHANGE  
REQUEST FOR QUOTES FOR  
GOVERNMENT AFFAIRS CONSULTANT**

NMHIX Procurement No. 2022.006

Quotes Due: Monday, December 12, 2022

## **I. INTRODUCTION AND BACKGROUND**

The purpose of this Request for Quotes (RFQ) is to solicit quotes to establish a contract for the procurement of government affairs services.

The New Mexico Health Insurance Exchange (NMHIX), also known as beWellnm, is New Mexico's health insurance marketplace. NMHIX was created in 2013 with the enactment of SB 221, the New Mexico Health Insurance Exchange Act (the Act, NMSA 1978, § 59A-23F). NMHIX's mission is to promote efforts to educate and enroll New Mexicans in affordable health insurance coverage that promotes better access to timely, high quality health care. Its vision is to achieve a healthier New Mexico through access to affordable health insurance. Until open enrollment for plan year 2022, NMHIX operated as a State-Based Marketplace utilizing the Federal Platform (SBM-FP). In 2021, in advance of open enrollment for plan year 2022, NMHIX transitioned from a SBM-FP to a fully State-Based Marketplace (SBM).

## **II. SCOPE OF WORK**

The selected contractor will provide the following services for NMHIX:

Represent NMHIX's interests in all levels of the executive and legislative branches as requested by NMHIX, including:

1. Monitor policy discussions and pending legislation which may affect NMHIX.
2. Represent and advocate for NMHIX's interests and policy preferences as an organization.
3. Report, in writing and at a cadence determined by NMHIX, to the NMHIX Board of Directors. Reports will include:
  - a summary of the contractor's work and activities of the executive and legislative branches of interest to NMHIX;
  - a brief synopsis of any proposed legislation;
  - a summary of the benefits of the proposed legislation to NMHIX as well as any potentially adverse consequences; and
  - information on any conflicting legislation.

## **III. CONTENTS OF QUOTE AND QUALIFICATIONS**

Offerors must demonstrate in as much detail as possible their ability to perform the services in Section II, Scope of Work. Quotes should also include:

1. A detailed resume of all key personnel that offeror proposes to use in performance of a resulting contract. Key personnel are the individuals assigned to perform the contract services. Quotes must include key personnel education, work experience, background and experience in providing New Mexico legislative and federal representation, applicable certifications/licenses, and past performance records.
2. A description of offeror's expertise at both the legislative and executive level, including experience in making presentations, networking, and writing reports and other

communications. The narrative must thoroughly describe how the offeror has supplied expertise for similar contracts and must include the extent of offeror's experience, expertise, and knowledge as a provider of government affairs services. Relevant services provided to private sector will also be considered.

3. A list of existing clients or employers. To avoid potential conflicts of interest, offerors that represent health insurance companies will not be considered.
4. A detailed cost proposal. The cost proposal should include a monthly retainer rate and/or hourly rate with a brief explanation of how they will be applied.
5. A completed and signed Campaign Contribution Disclosure Form (attached hereto as appendix A).

#### **IV. ASSUMPTIONS**

The selected contractor should be familiar with and have a general working knowledge of NMHIX affairs (matters).

NMHIX intends to enter into a contract with the selected contractor effective January 1, 2023. The selected contractor should be prepared to begin services immediately upon finalization of the contract. The contract will be a single award. The term of the resulting contract will be for one (1) year, with options to extend upon mutual agreement of the parties in accordance with the New Mexico Procurement Code. The highest portion of the work required will be in preparation for and during the 2023 legislative session.

Any contract award is contingent upon and subject to approval by NMHIX's Board of Directors, approval by the appropriate state authority, the continued authorization of NMHIX by the Legislature of New Mexico, and the ability of NMHIX to obtain necessary funds by assessments, grants, or other means.

Payment shall be made only for services actually performed, upon receipt and approval by NMHIX of a detailed invoice, which shall include sufficient information to enable the NMHIX to verify contractor's work.

The selected contractor must maintain all equipment and technology, including computers, internet connectivity, and telephone connectivity, as necessary; and must maintain the highest levels of confidentiality as appropriate.

#### **V. SUBMISSION OF QUOTES**

Interested offerors should submit their quotes to NMHIX no later than 5:00 p.m. MST on Monday, December 12, 2022. Quotes should be submitted electronically to [RFP@nmhix.com](mailto:RFP@nmhix.com). No hard copies are required. Please include "Government Affairs Consultant" in the subject line of the email.

Note: All quotes and documents pertaining to the RFQ will be available for public inspection, *except* for proprietary or confidential material as follows: (1) confidential financial information concerning the offeror's organization; and (2) information that qualifies as a trade secret in

accordance with the Uniform Trade Secrets Act, §§57-3A-1 through 57-3A-7. Offerors may submit a redacted version of their quote with the proprietary or confidential information blacked-out in order to facilitate any requested public inspection of the non-confidential version of offeror's proposal.

## **VI. PROCUREMENT MANAGER**

The Procurement Manager for this procurement is Aryn Fitzwater. Any inquiries or requests regarding this procurement should be submitted, in writing, to the Procurement Manager at [afitzwater@nmhix.com](mailto:afitzwater@nmhix.com). The Procurement Manager will respond within 24 hours.

Offerors may contact only the Procurement Manager regarding this procurement. Other NMHIX staff members or members of the Board of Directors do not have the authority to respond on behalf of the Procurement Manager.

## **VII. ADDITIONAL TERMS**

A. Governing Law. Any contract which may result from this procurement shall be governed by the laws of the State of New Mexico.

B. No obligation. Issuance of this RFQ in no way constitutes a commitment on the part of NMHIX to enter into a contract or use any of the contractor's services until a valid written contract is awarded and approved by appropriate authorities. Quotes may be rejected in whole or in part if NMHIX determines such action to be in its best interest.

C. Conflict of Interest. By submitting a quote in response to this RFQ, offeror warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any matter or degree with the performance or services required under a contract resulting from this RFQ. By submitting a quote, offeror confirms that they are in compliance with the requirements of the Governmental Conduct Act, NMSA 1978, §§ 10-16-1 through 10-16-18, regarding contracting with a public officer or state employee or former state employee.

D. Penalties. The Procurement Code, NMSA 1978, § 13-1-28 through 13-1-199, imposes civil, misdemeanor and felony criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

## APPENDIX A

### CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, a prospective contractor subject to this section shall disclose all campaign contributions given by the prospective contractor or a family member or representative of the prospective contractor to an applicable public official of the state or a local public body during the two years prior to the date on which a proposal is submitted or, in the case of a sole source or small purchase contract, the two years prior to the date on which the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor or a family member or representative of the prospective contractor to the public official exceeds two hundred fifty dollars (\$250) over the two-year period. A prospective contractor submitting a disclosure statement pursuant to this section who has not contributed to an applicable public official, whose family members have not contributed to an applicable public official or whose representatives have not contributed to an applicable public official shall make a statement that no contribution was made.

A prospective contractor or a family member or representative of the prospective contractor shall not give 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 during the pendency of negotiations for a sole source or small purchase contract.

Furthermore, a solicitation or proposed award for a proposed contract may be canceled pursuant to Section [13-1-181](#) NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section [13-1-182](#) NMSA 1978 if a prospective contractor fails to submit a fully completed disclosure statement pursuant to this section; or a prospective contractor or family member or 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.

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.

**“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 a 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 [Sections [13-1-28](#) through [13-1-199](#) NMSA 1978] or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or 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:** \_\_\_\_\_

**(This field must be completed by the issuing State Agency. In most cases, the official identified will be the current Governor of New Mexico and Lieutenant Governor. If a local public body is using this template for their RFPs, it must complete this field with the applicable elected official(s).)**

**DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:**

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

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

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

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

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)