

STATE OF NORTH CAROLINA Department of Health and Human Services Division of Health Benefits	REQUEST FOR INFORMATION NO. 30-2026-041-DHB	
	Issue Date: 6/4/2026	
	Due Date: 7/24/2026	
Refer <u>ALL</u> Inquiries regarding this RFI to: Tyler Ragor Tyler.ragor@dhhs.nc.gov Medicaid.Procurement@dhhs.nc.gov	Commodity Number: 811620 - Cloud-based software as a service	
	Description: Third Party Software Licensing RFI	
	Using Agency: Department of Health and Human Services, Division of Health Benefits	

This Request for Information (“RFI”) is available electronically on the North Carolina electronic Vendor Portal (“NC eVP”) at <https://evp.nc.gov/>.

The purpose of this RFI is to survey the market for information requested herein and not to award a contract. Submission of a response does not create an offer, and no award will result by submitting a response.

The State recognizes that considerable effort may be required in preparing a response to this RFI. However, the Respondent shall bear all costs for preparing and submitting a response. Information obtained through this RFI process may be used to develop a future solicitation.

Responses to this RFI will be received until 2:00 p.m. July 24, 2026.

EXECUTION

RESPONDENT NAME:	E-MAIL:	
STREET ADDRESS:	P.O. BOX:	ZIP:
CITY & STATE:	TELEPHONE NUMBER:	TOLL FREE TEL. NO:
TYPE OR PRINT NAME & TITLE OF PERSON SIGNING:	FAX NUMBER:	
AUTHORIZED SIGNATURE:	DATE:	

Table of Contents

SECTION I. RESPONDENT QUESTIONS, RESPONSE INSTRUCTIONS, AND CONFIDENTIALITY..... 3

- A. Anticipated Schedule 3
- B. Instructions for Developing Responses 3
- C. Instructions for Submitting Responses 3
- D. Notice Regarding Confidentiality 4

SECTION II. RIGHTS AND OBLIGATIONS 5

- A. Rights to Submitted Material 5
- B. Obligations of the State 5

SECTION III. THIRD PARTY SOFTWARE LICENSING 5

- A. Background and Program Information 5
- B. Purpose of the RFI 6

SECTION IV. REQUESTED INFORMATION FROM RESPONDENT 6

- A. Content and Format 6
- B. Information about Respondent..... 6
- C. Requested Information 6

SECTION I. RESPONDENT QUESTIONS, RESPONSE INSTRUCTIONS, AND CONFIDENTIALITY

A. Anticipated Schedule

The Department Contract Specialist will make every effort to adhere to the following schedule.

Action	Responsibility	Date	Time (EST)
RFI Issued	Department	6/4/2026	
Responses Due	Respondent(s)	7/24/2026	2:00 pm

Table 1 – Anticipated Schedule

B. Instructions for Developing Responses

When developing Responses to this RFI, the Respondent should consider the following:

1. Read and carefully review all Sections of this RFI.
2. Prepare responses in a straightforward and detailed manner. Responses are to be submitted to the Department according to the instructions found on the cover page of the RFI and this Section II.
3. Complete the Execution section on Page 1 of this RFI and number the pages in the responses.
4. Clearly identify the specific question, section, and subsection number(s) or other identifier that corresponds with each response. This allows the Department to clearly understand the specific questions or items addressed. To the extent possible within each section of the response, the items should be addressed in the order in which they appear in the RFI.
5. Provide detailed information in a format that may include a narrative, exhibits, charts, tables or other artifacts that support the response.
6. Responses to all questions and items within the RFI are encouraged but there is no obligation to do so.
7. The Department reserves the right to contact any Respondent and request additional information. Include the contact information for the individual(s) best suited to engage with the Department.
8. The Respondent shall disclose whether Artificial Intelligence (AI), including generative AI tools, was used in the preparation of any portion of its response to this RFI. If AI tools were utilized, the Respondent affirms that it has reviewed and verified the accuracy, completeness, and appropriateness of all AI-generated content. The Respondent shall remain solely responsible for the content of its submission, including any errors, omissions, or misrepresentations resulting from the use of AI.

C. Instructions for Submitting Responses

1. Respondent must submit its response to this RFI via the Ariba Sourcing Tool by the specified time and date provided in the Anticipated Schedule.
2. When submitting a response, include all pages of the RFI, a completed and signed EXECUTION Section on page 1, and responses to the requested information contained in Section IV.
3. The following copies are required to be provided to the Department in response to this RFI:
 - a. One (1) electronic copy of the signed, completed response identified as **RFI # 30-2026-041-DHB - Respondent's Name**.

- b. One (1) electronic copy of a redacted response in accordance with Chapter 132 of the North Carolina General Statutes, the Public Records Act, identified as **RFI # 30-2026-041-DHB - Respondent's Name - Redacted**. For the purposes of this RFI, redaction means to edit a document by obscuring or removing information that is considered confidential and/or proprietary by the Respondent and that meets the definition of Confidential Information set forth in G.S. 132-1.2. Any information removed by the Respondent should be replaced with the word, "Redacted." If Respondent's response does not contain Confidential Information, the Respondent must submit a signed statement to that effect identified as **RFI # 30-2026-041-DHB - Respondent's Name - Statement of Confidential Information**.
4. The electronic copies of the response must not be password protected.
5. The electronic copies of the response must be in PDF format.

For training on how to use the Ariba Sourcing Tool to view solicitations, submit questions, develop responses, upload documents, and submit offers to the State, Respondents should go to the following site: <https://eprocurement.nc.gov/training/vendor-training>.

Questions or issues related to using the Ariba Sourcing Tool itself can be directed to the North Carolina eProcurement Help Desk at 888-211-7440, Option 2. Help Desk representatives are available Monday through Friday from 7:30 AM EST to 5:00 PM EST.

D. Notice Regarding Confidentiality

1. Per NCGS 132-1, et seq., information or documents provided to the Department in response to this RFI are Public Record and subject to inspection, copy and release to the public unless properly marked and exempt from disclosure by statute, including, but not limited to, NCGS § 132-1.2.
2. As provided for in the North Carolina Administrative Code (NCAC), including but not limited to 01 NCAC 05B .0103, 09 NCAC 06B .0103 and 09 NCAC 06B .0302, all information and documentation whether electronic, written or verbal relative to the development of a contractual document for a proposed procurement or contract shall be deemed confidential in nature. In accordance with these and other applicable rules and statutes, such material shall remain confidential until the award of a contract or until the need for procurement no longer exists. **Any proprietary or confidential information, which conforms to exclusions from public records as provided by NCGS § 132, must be clearly marked as such within each page containing the trade secret or confidential information, and identified in boldface as "CONFIDENTIAL."** If only a portion of each page marked "CONFIDENTIAL" contains trade secret information, the trade secret information shall be designated with a contrasting color or by a box around such information. **In addition to marking confidential information as required by NCAC 05B.0103, confidential pages or portions of the response shall be reflected in the redacted copy identified as RFI 30-2026-041-DHB- Respondent's Name – Redacted.** By submitting a redacted copy, the Respondent warrants that it has formed a good faith opinion, having received such necessary or proper review by counsel and other knowledgeable advisors that the portions marked confidential and redacted meet the requirements of NCGS §132. The Respondent must identify the legal grounds for asserting that the information is confidential, including the citation to state law.

SECTION II. RIGHTS AND OBLIGATIONS

A. Rights to Submitted Material

All responses, inquiries or correspondence relating to or in reference to this RFI, and all documentation submitted by the various Respondents shall become the property of the Department when received. Ideas, approaches, and options presented by Respondents may be used in whole or in part by the State in developing a future solicitation should the Department decide to proceed with a solicitation. Further, combinations of ideas from various Respondents may also become part of a solicitation, based on consideration of various RFI submissions and the needs of the Department, which may differ from any single Respondent's experience in other places.

B. Obligations of the State

The Department may choose to issue a solicitation for the procurement of a solution. However, this RFI is not a guarantee that a solicitation will be issued for any or all of the services or systems referenced herein, about which ideas and approaches are being sought. As provided in Section I.D of this RFI, information submitted by Respondents for this RFI will remain confidential until after the award of any solicitation or until the State decides not to issue a solicitation.

SECTION III. THIRD PARTY SOFTWARE LICENSING

A. Background and Program Information

The North Carolina Department of Health and Human Services, Division of Health Benefits (DHB), is seeking information from qualified vendors regarding best practices, strategies, and capabilities for ensuring the seamless transfer and continued use of third-party software licenses in technology solutions developed and implemented by external vendors. This RFI is intended to gather input that will inform future procurement strategies and contractual frameworks. The goal is to ensure that the State can maintain full operational continuity and legal compliance when transitioning ownership of technology solutions.

Historically, the State has procured comprehensive technology solutions through development and implementation vendors. These solutions often include numerous third-party software applications licensed by the vendor as part of the overall system delivery. If license transferability and continuity are not properly addressed, they can lead to disruption of services, increased costs, or legal complications.

Upon contract completion, the State requires full ownership of the solution, including all third-party software components. The State seeks to ensure:

- **Unrestricted ownership, access, and use** of the entire solution post-contract.
- **Transferability of all third-party software licenses** to the State.
- **Continuation of legal terms and conditions** originally agreed upon between the vendor and the State.
- **Pricing parity** for all third-party software licenses, consistent with what was paid by the vendor.

B. Purpose of the RFI

The purpose of the RFI is to:

1. Solicit feedback from potential vendors with experience developing and deploying solutions that include the utilization of third-party software licenses as part of the overall solution to:
 - a. Gain a clearer understanding of market capabilities and practices
 - b. Identify potential contractual mechanisms to ensure the transferability of licenses and continuity in pricing
2. Obtain information that may be used in developing future Request for Proposals (RFPs) to solicit a vendor to provide large, complex software solutions to the Department.

SECTION IV. REQUESTED INFORMATION FROM RESPONDENT

A. Content and Format

The Department requests concise, detailed responses to the inquiries in Sections IV.B., and IV.C below. The response in its entirety shall be limited to ten (10) pages.

B. Information about Respondent

1. Responses should provide an overview of the Respondent company's history, scope of products and services offered, and locations of operation. Responses should describe Respondent(s) experience providing solutions similar in size and scope to the project's desired outcomes.
2. Responses should provide the following:
 - a. Description of the Respondent's primary customer base or market, including other state Medicaid programs;
 - b. Description of relevant additional services offered by Respondent;
 - c. Listing of states or agencies that utilize Respondent's solution which includes third-party software applications. Responses should include the state/agency name, the most recent implementation, contract start and end dates, description of scope of work, the duration of any contracts, and the termination dates;

C. Requested Information

Respondents should provide detailed responses, including examples when applicable, to the following questions:

I. License Transferability

1. What mechanisms or best practices do you recommend to ensure that third-party software licenses can be transferred to the State upon contract completion?
2. How do you typically structure license agreements with third-party vendors to allow for such transfers?
3. Describe the licensing model for your company's base software. If a subscription model is used, is your company willing to license in the traditional perpetual licensing model with annual maintenance fees? Please explain.

II. Legal Terms and Conditions

4. How can the State ensure that the legal terms and conditions negotiated with the development vendor apply to the transferred third-party licenses?
5. What contractual language or clauses would you recommend to support and enforce this requirement?

III. Pricing Continuity

6. What strategies can be used to ensure that the State continues to pay the same or similar pricing for third-party software licenses after they are transferred?
7. Are there industry-standard pricing models or benchmarks that can be referenced in the contracts?

IV. General Recommendations

8. What challenges have you encountered in similar scenarios, and how were they addressed?
9. What additional considerations should the State be aware of when planning for post-contract ownership and license management?