

**REQUEST FOR QUALIFICATIONS**  
**No. [370-22-4000-00001]**

**ONLINE NOTARY PUBLIC**  
**TRAINING & EXAMINATION**  
**SYSTEM IN NEW MEXICO**

**SEPTEMBER 10, 2021**

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## **1. INTRODUCTION AND GENERAL INFORMATION**

### **1.1. Abbreviations**

N/A	Not Applicable
NMS	New Mexico Statutes
NMSA	New Mexico Statutes Annotated
QA	Quality Assurance
QC	Quality Control
RFQ	Request for Qualifications
RON	Remote Online Notarizations
RULONA	Revised Uniform Law on Notarial Acts
SOQ	Statement of Qualifications
SOS	Secretary of State (New Mexico)
SOW	Scope of Work

### **1.2. Agency Contact**

The Agency has assigned an Authorized Representative for all information concerning this procurement. The Authorized Representative is:

Justin P. O'Shea  
New Mexico Office of the Secretary of State  
325 Don Gaspar Ave., Ste. #300  
Santa Fe, NM 87501  
Phone: 505-827-3615  
Email: [justin.oshea@state.nm.us](mailto:justin.oshea@state.nm.us)

All communications and submissions regarding the procurement shall be directed to the Authorized Representative. Only written and electronic communications received from the Authorized Representative may be relied on throughout this RFQ process, subject to any limitations under the Contract Documents regarding reliance on certain materials provided. The Agency is not responsible for oral communications or other communications that occur outside the communications protocol established by this RFQ. Submissions can be submitted both electronically via email and/or with a physical copy via mail with attention to the Authorized Representative.

### **1.3. Rules of Contact**

As of the date of issuance of this RFQ, no Respondent or prospective Respondent shall contact any employee or representative of the Agency concerning the Project, except for the Authorized Representative as specifically permitted in this RFQ.

This prohibition does not apply to discussions with the Agency not related to the Project. However, Respondents are prohibited from any contact by any means whatsoever with the

members of the Selection Committee.

## **1.4. Project Description**

### **a. Overview and Background**

The State of New Mexico recently enacted the Revised Uniform Law on Notarial Acts, Sections 14-14A-1 to 14-14A-32 NMSA 1978 (aka “RULONA”). This law requires the Office of the Secretary of State (aka “SOS) to provide regular training and examination to notarial officers regarding compliance with the law as well as for performing Remote Online Notarizations (RONs).

### **b. Objective**

This RFQ seeks formal proposals to provide a single provider contract, to a respondent with the capability and experience in providing state specific on-demand, on-line training to meet the training and examination requirements of the RULONA.

The contractor shall provide all personnel and items necessary to perform the functions described in this SOW, and the contractor shall perform all requirements and tasks identified in this SOW.

The SOS seeks a contractor who will complete the SOW without cost to the State of New Mexico and recoup costs via fees passed directly to training applicants. Contractors seeking to bid on this RFQ shall provide a cost proposal agreeing to the SOW, provide any additional licensing or terms, and provide the costs charged to the training applicants.

### **c. Scope**

The scope of this request for the SOS includes but is not limited to the following:

#### Task 1: Develop Education Courses and Exams

- Contractor shall develop two online eLearning courses and two corresponding online exams to fulfill Notary Public education and exam requirements under New Mexico law:
  - Commissioned Notary Public required-education course
  - Commissioned Notary Public required exam
  - Remote Online Notary (RON) required-education course
  - Remote Online Notary (RON) required exam

#### Task 2: Host Education Courses and Exams

- The contractor shall host the courses and exams and collect fees directly from the applicant with no charge incurred by the SOS.

### **d. Requirements and Tasks**

The contractor shall provide the expertise, technical knowledge, staff support and other related resources necessary to conduct the following services:

#### Task 1: Develop Education Courses and Exams

##### Specifications and Deliverables

##### 1. Commissioned Notary Public required-education course

- The course will be developed and delivered as an independent-study online course.
- Curriculum for the Commissioned Notary Public course will be derived from notarization requirements as specified in New Mexico statute and regulations and will be approved by the Secretary of State's Office.
- The curriculum will meet requirements provided by the NM State Bar to be eligible as a continuing legal education credit for NM practicing attorneys.
- The course will employ a combination of narration, on-screen text and interactive learning activities to maximize learning and retention.
- Time for a typical student to complete the course will be approximately two (2) to four (4) hours.

##### 2. Commissioned Notary Public required exam

- The exam will be developed to be delivered online and will be included with the Commissioned Notary Public required-education course.
- Content for the exam will be based on the curriculum in the Commissioned Notary Public required education course.
- The exam will be comprised of 30 multiple-choice questions selected from a bank of 50 question-and-answer sets to enable variable questions for unique 30-question exams.
- Each question-and-answer set will be comprised of one question and four multiple-choice answers, the correct answer plus three distractors.
- Exam passing score shall be 80% with an unlimited number of retake attempts.

##### 3. RON required-education course

- The course will be developed and delivered as an independent-study online course.
- Curriculum for the RON course will be derived from notarization requirements as specified in New Mexico law and regulations and will address general practices common to remote notarization applications but will not address specific practices of any particular remote notarization application.
- The course will employ a combination of narration, on-screen text and interactive learning activities to maximize learning and retention.
- Time for a typical student to complete the course will be approximately 1 hour.

##### 4. RON required exam

- The exam will be developed to be delivered online and will be included with the RON required-education course

- Content for the exam will be based on the curriculum in the RON required education course.
- The exam will be comprised of 20 multiple-choice questions selected from a bank of 35 question-and-answer sets to enable variable questions for unique 20-question exams.
- Each question-and-answer set will be comprised of one question and four multiple-choice answers, the correct answer plus three distractors.
- Exam passing score shall be 80% with an unlimited number of retake attempts.

Course curriculum and exam questions and answers will be revised as needed to incorporate changes in New Mexico law, changes in required procedures outlined by the Secretary of State, or changes requested by the Secretary of State's Office.

#### Task 2: Host Education Courses and Exams

The contractor shall host the courses and exams and collect fees directly from the applicant with no charge incurred by the SOS:

- The two courses and corresponding exams will be delivered to individual students online, hosted by the contractor.
- The contractor shall manage course and exam registrations and fee transactions through its own website.
- The contractor shall provide a downloadable proof-of-completion certificate to each student who completes the respective education course and successfully completes the corresponding exam.
- The contractor shall retain training and examination records for a period of four years and shall provide this information upon request from the SOS or the NM State Ethics Commission.

### **1.5. Project Goals**

Enable a third-party provider to provide state specific on-demand, on-line training to meet the training and examination requirements of the RULONA.

### **1.6. Project Schedule/Timeline**

The training modules and exams shall be made available to training applicants no later than December 15, 2021.

### **1.7. Contract Type**

The chosen offeror will be offered a contract from the Agency with no monetary exchange of value for a duration to be chosen by the Agency. Part of the negotiation of the contract is the cost incurred to applicants. This cost component will be negotiated with the chosen respondent and the SOS. Such contract will follow all New Mexico State Laws and the New Mexico Procurement Code.

## **1.8. Role of the Agency**

- a. Overall program administration;
- b. Preparation of the RFQ, evaluation of SOQs and Proposals, determination of the Short-List;
- c. Contract procurement and administration; and
- d. Oversight and audit.

## **1.9. Respondent Responsibilities**

The Respondent shall be responsible for:

- a. Creating and maintaining state approved training course and examinations
- b. Hosting training module
- c. Collecting payment from notary applicants
- d. Storing training records

## **1.10. Quality Assurance/Quality Control**

QA and QC are the responsibility of the chosen Respondent. The Offer shall be responsible for ensuring accessibility of the training system and addressing any content issues, system bugs, or complaints received by the Agency from the training applicants regarding training quality or availability. It is also incumbent on the offer to report major outages or critical issues to the Agency.

## **1.11. Payment**

The resulting agreement from this RFQ will not have any exchange of monetary value from the Agency. The respondent will complete the SOW without cost incurred to the State of New Mexico, or the SOS; the respondent will recuperate costs via fees to training applicants.

## **1.12. Governing Law and Applicable Rules**

The State of New Mexico recently enacted the Revised Uniform Law on Notarial Acts, Sections 14-14A-1 to 14-14A-32 NMSA 1978, which is the reason for this RFQ.