

RFP TEMPLATE PUBLISHED BY DEPARTMENT OF JUSTICE AND DEPARTMENT OF ADMINISTRATIVE SERVICES

STATE OF NEW HAMPSHIRE DEPARTMENT OF EDUCATION Public School Approval Technical Support and Assistance

RFP2020-BEO-2020-001

Section 1 – Overview and Schedule

A. Executive Summary

The Department of Education (DOE) is issuing this RFP for services in the analysis and development of a rigorous public school approval implementation plan that will satisfy the statutory and administrative requirements placed upon the DOE as the state authority over public school approval, detailed in Administrative Rule Ed 306.28 and NH State Statute RSA 193-E.

The implementation plan will include specific operational elements including an analysis of current and prior school approval operating systems and policies, creation of technical documentation, process steps for completion of a state-wide school approval system, DOE workforce requirements, collaboration and engagement with state and local stakeholders, and an implementation timeline for a statewide public school approval system. It is expected that this work will be conducted within a 6 month time period.

Funding for the services solicited through this RFP are NH State General Funds.

B. Schedule

The following table provides a Schedule of Events for this RFP through contract finalization and approval. The Agency reserves the right to amend this Schedule at its sole discretion and at any time through a published Addendum.

Event	Date	Local Time
RFP Released to Proposers (Advertisement)	January 4, 2021	
Proposer Inquiry Period Ends	January 15, 2021	4:00 PM
Final Agency Responses to Proposer Inquiries	January 22, 2021	4:00 PM
Proposers Submit Proposals	February 28, 2021	4:00 PM
Estimated Notification of Selection and Begin Contract Negotiations	March 8, 2021	4:00 PM

Section 2 – Description of Agency/Program Issuing the Request for Proposals

The New Hampshire Department of Education, Division of Education and Analytics Resources, Bureau of Educational Opportunities [hereinafter referred to as DOE/BEO] is the State Agency issuing the Public School Approval Technical Assistance and Support RFP.

The Bureau of Educational Opportunities provides leadership and support for all school approval types, including public schools, public chartered schools, and non-public schools, and is responsible for the administration and oversight of the Ed 306 Minimum Standards Administrative Rules. Activities of the DOE/BEO include, but are not limited to:

- Overseeing processes, procedures, and policies related to the maintenance of an adequate education as defined in RSA 193-E;
- Providing technical assistance and support to school administrators in the implementation of the minimum standards;
- Managing the administrative rules governing the startup, operation, renewal, and closure of public chartered schools and non-public schools;
- Managing state and federal school accountability measures, including the state iReport profiles;
- Collecting data and preparing reports for various stakeholders, including the public, the legislature, the State Board of Education, and various other state agencies;
- Carrying out federal and state laws, rules and regulations pertaining to school approval and accountability measures in New Hampshire.

Section 3 – Proposed Scope of Work

The DOE/BEO is seeking proposals from individuals and/or entities [hereinafter referred to as the Contractor] experienced in large-scale strategic and operational level planning and implementation of accountability programs. There is specifically not a requirement that the Contractor has an exclusive education background, as the goal is to infuse the project with thinking from other domains, such as business accountability systems.

The Contractor will conduct an evaluation of the current administrative rules, procedures, and state laws governing the public school approval process in New Hampshire. Upon completion of this analysis, the Contractor will facilitate discussions with the Department and identified stakeholders to design a rigorous, high-quality plan for a school approval system that includes a timeline for implementation and a breakdown of required resources, including management and personnel. The plan must include identified barriers to success as well as proposed changes to any administrative rules or legislative requirements. The goal of the plan must be to ensure that all New Hampshire public schools receive a rigorous assessment of compliance and ability to provide an adequate education.

The Contractor will be responsible for conducting the following activities and/or deliverables:

- Review and analyze the current school approval process, as detailed in Ed 306.28 and RSA 193-E, and DOE/BEO processes and procedures, and create a report that details the following:
 - Essential elements necessary to an effective school approval process (possibly based on other state’s practices or on practices derived from other industries);
 - Current barriers to implementation of an effective public school approval process, including possible barriers within rule or statute
- Facilitate stakeholder meetings
 - Contractor will work with DOE/BEO to identify stakeholders involved or affected by public school approval and invite key members to participate in discussions to develop an effective public school approval process;
 - Contractor will propose a schedule of meetings and discussion sessions and work with DOE/BEO to effectively manage the process;
 - Contractor will facilitate multiple meetings and discussions, either in person or remotely as necessary, to gather information and feedback necessary to building an effective implementation plan;
- Public School Approval Implementation Plan
 - Based on the analysis and report and stakeholder engagement meetings above, the Contractor will develop a plan to submit to the DOE/BEO and the Commissioner of Education that details an effective public school approval implementation plan;
 - The plan will include specific processes and procedures that an individual or team would be able to follow in the implementation of the school approval system;
 - The plan will include templates, checklists, example reports, and any other forms necessary for the implementation of the process;
 - The plan will include identified barriers to success and proposed law and rule changes, if any;
 - The plan will include an effective breakdown of resources necessary to complete a full school approval visit, including required personnel and management resources.
- Implementation Support
 - The contractor will include a plan for providing technical support and assistance to the DOE/BEO during the first phases of the implementation of the school approval process.

Section 4 – Process for Submitting a Proposal

A. Proposal Submission, Deadline, and Location Instructions

Proposals submitted in response to this RFP must be received by DOE/BEO no later than the time and date specified in Section 1.B. Schedule. Proposals may be submitted by U.S. mail, delivery service, in person, or electronically. Proposals must be addressed to:

State of New Hampshire
Department of Education
 c/o
Nate Greene

**101 Pleasant Street
Concord, NH 03301**
Electronically at: Nathaniel.Greene@doe.nh.gov

Proposals must be clearly marked as follows:

STATE OF NEW HAMPSHIRE
RESPONSE TO RFP2020-BEO-2020-001
PUBLIC SCHOOL APPROVAL TECHNICAL SUPPORT AND ASSISTANCE

Unless waived as a non-material deviation in accordance with Section 6B, late submissions will not be accepted and will be returned to the proposer unopened. Delivery of the Proposals shall be at the Proposer's expense. The time of receipt shall be considered when a Proposal has been officially documented by the Agency, in accordance with its established policies, as having been received at the location designated above. The Agency accepts no responsibility for mislabeled mail or mail that is not delivered or undeliverable for whatever reason. Any damage that may occur due to shipping shall be the Proposer's responsibility.

All Proposals submitted in response to this RFP must consist of at least:

- a) One (1) original and one (1) clearly identified copy of the Proposal, including all required attachments; or
- b) One (1) original copy of the Proposal, including all required attachments contained on digital media such as flash drive; or
- c) One electronic copy of the Proposal including all required attachments submitted via email

Proposers who are ineligible to bid on proposals, bids or quotes issued by the Department of Administrative Services, Division of Procurement and Support Services pursuant to the provisions of RSA 21-I:11-c shall not be considered eligible for an award under this proposal.

B. Proposal Inquiries

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the following RFP designated Points of Contact:

TO: Nathaniel.Greene@doe.nh.gov

CC: Caitlin.Davis@doe.nh.gov

Inquiries must be received by the Agency's RFP Points of Contact no later than the conclusion of the Proposer Inquiry Period (see Schedule of Events section, herein). Inquiries received later than

the conclusion of the Proposer Inquiry Period shall not be considered properly submitted and may not be considered.

The Agency intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section, herein; however, this date is subject to change at the Agency's discretion. The Agency may consolidate and/or paraphrase questions for sufficiency and clarity. The Agency may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Agency. Official responses by the Agency will be made only in writing by the process described above. Vendors shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

C. Restriction of Contact with Agency Employees

From the date of release of this RFP until an award is made and announced regarding the selection of a Proposer, all communication with personnel employed by or under contract with the Agency regarding this RFP is forbidden unless first approved by the RFP Points of Contact listed in the Proposal Inquiries section, herein. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential contractor during the selection process, unless otherwise authorized by the RFP Points of Contact. Proposers may be disqualified for violating this restriction on communications.

D. Validity of Proposal

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting Contract, whichever is later.

SECTION 5 - Content and Requirements for a Proposal

Proposals shall follow the below format and provide the required information set forth below:

General information:

- Company profile/background
- Key personnel to be involved in the project (submission of resumes is acceptable)
- References (minimum of 3) for similar projects undertaken
- Contractor's background in accountability systems and implementation planning

Specific information

- Project plan / timeline to include:
 - Review of current model
 - Analysis Report
 - Stakeholder meetings
 - Submission of final implementation plan

Cost Proposal including detailed budget

SECTION 6 – Evaluation of Proposals

A. Criteria for Evaluation and Scoring

Each responsive Proposal will be evaluated and considered with regard to the following criteria:

Qualifications and Experience (30pts): The contractor will have worked on and had demonstrated success in complex strategic and operational analyses, including specific experiences of team members who will participate in and support the project. Added weight will not be awarded solely on the basis of education specific experience.

- Technical Expertise (50 pts): The contractor will demonstrate an understanding of the proposed project and include detailed explanations for how they will meet each of the items identified in the Specific Information noted above in Section 5.

- Cost (20 pts): The program will be evaluated on the cost effectiveness of the proposal.

If the Agency, determines to make an award based on these evaluations, the Agency will notify the selected Proposer(s). Should the Agency be unable to reach agreement with the selected Proposer(s) during Contract discussions, the Agency may then undertake Contract discussions with the next preferred Proposer and so on, or the Agency may reject all proposals, cancel this RFP, or solicit new Proposals under a new acquisition process.

The agency will use a scoring scale of 100 points, which will be distributed as set forth in the table below.

CATEGORIES	POINTS
Qualifications and Experience: The contractor will have worked on and had demonstrated success in complex strategic and operational analyses, including specific experiences of team members who will participate in and support the project. Added weight will not be awarded solely on the basis of education specific experience.	30 POINTS
Technical Expertise: The contractor will demonstrate an understanding of the proposed project and include detailed explanations for how they will meet each of the items identified in the Specific Information noted above in Section 5.	50 POINTS
Cost: The program will be evaluated on the cost effectiveness of the proposal.	20 POINTS
TOTAL POTENTIAL MAXIMUM POINTS AWARDED	100 POINTS

The Agency will select a Proposer based upon the criteria and standards contained in this RFP and from applying the weighting in this section. Oral interviews and reference checks, to the extent they are utilized by the Agency, will be used to refine and finalize scores.

B. Planned Evaluations

The Agency plans to use the following process:

- Initial screening to ensure that the Proposals are in compliance with submission requirements;
- Preliminary evaluation of the Proposals;
- Oral interviews and Product Demonstrations (if necessary);
- Final Evaluation of Technical Proposals and scoring;
- Review of Price Proposals and final scoring;
- Best and Final Offer (BAFO) if appropriate; and
- Select the highest scoring Proposer (s) and begin contract negotiation.

C. Initial Screening

The Agency will conduct an initial screening step to verify Proposer compliance with the technical submission requirements set forth in the RFP and the minimum content set forth in Section 5 of this RFP. The Agency may waive or offer a limited opportunity to cure immaterial deviations from the RFP requirements if it is determined to be in the best interest of the State.

D. Preliminary Technical Scoring of Proposals

The Agency will establish an evaluation team to initially score the Technical Proposals. This evaluation team will review the technical proposals and give a preliminary score to the technical proposals under the guidelines set forth in Section 6. Price Proposals will remain sealed during the preliminary technical review.

E. Oral Interviews and Product Demonstrations

If the Agency determines that it is appropriate, proposers may be invited to oral interviews and/or product demonstrations including demonstrations of any proposed automated systems or technology components. The Agency retains the sole discretion to determine whether to conduct oral interviews, with which proposers; and the number of interviews. Proposers are advised that the Agency may decide to conduct interviews with less than all responsive proposers.

The purpose of oral interviews and product demonstrations is to clarify and expound upon information provided in the written Proposals. Proposers are prohibited from altering the basic substance of their Proposals during the oral interviews and product demonstrations. The Agency may ask the Proposer to provide written clarifications of elements in their Technical Proposal regardless of whether it intends to conduct Oral Interviews.

Information gained from oral interviews and product demonstrations will be used to refine technical review scores assigned from the initial review of the Proposals.

F. Final Technical Scoring of Proposals

Following Oral Interviews, Product Demonstrations, Reference Checks (if appropriate) and/or review of written clarifications of proposals requested by the Agency, the evaluation team will determine a final score for each Technical Proposal.

G. Price Proposal Review

The cost will be considered as part of the overall scoring formula in Section 6.A.

H. No Best and Final Offer

The Proposal should be submitted initially on the most favorable terms which the proposer can offer. There will be no best and final offer procedure. The Proposer should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some or all of the Proposal.

I. Rights of the Agency in Accepting and Evaluating Proposals

The Agency reserves the right to:

- Make independent investigations in evaluating Proposals;
- Request additional information to clarify elements of a Proposal;
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State;
- Omit any planned evaluation step if, in the Agency's view, the step is not needed;
- At its sole discretion, reject any and all Proposals at any time; and
- Open contract discussions with the second highest scoring Proposer and so on, if the Agency is unable to reach an agreement on Contract terms with the higher scoring Proposer(s).

SECTION 7 – Terms and Conditions Related To The RFP Process

A. RFP Addendum

The Agency reserves the right to amend this RFP at its discretion, prior to the Proposal submission deadline. In the event of an addendum to this RFP, the Agency, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.

B. Non-Collusion

The Proposer's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and Work quoted have been established without collusion with other Proposers and without effort to preclude the Agency from obtaining the best possible competitive Proposal.

C. Property of the Agency

All material received in response to this RFP shall become the property of the State and will not be returned to the proposer. Upon Contract award, the State reserves the right to use any information presented in any Proposal.

D. Confidentiality of a Proposal

Unless necessary for the approval of a contract, the substance of a proposal must remain confidential until the Effective Date of any Contract resulting from this RFP. A Proposer's disclosure or distribution of Proposals other than to the Agency will be grounds for disqualification.

E. Public Disclosure

Pursuant to RSA 21-G:37, all responses to this RFP shall be considered confidential until the award of a contract. At the time of receipt of proposals, the Agency will post the number of responses received with no further information. No later than five (5) business days prior to submission of a contract to the Department of Administrative Services pursuant to this RFP, the Agency will post the name, rank or score of each proposer. In the event that the contract does not require Governor & Executive Council approval, the Agency shall disclose the rank or score of the Proposals at least 5 business days before final approval of the contract. The content of each Proposer's Proposal shall become public information upon the award of any resulting Contract. Any information submitted as part of a response to this request for proposal (RFP) may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). However, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to this request for proposal, bid or information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to the agency, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as "CONFIDENTIAL". A designation by the Proposer of information it believes exempt does not have the effect of making such information exempt. The Agency will determine the information it believes is properly exempted from disclosure. Marking of the entire Proposal or entire sections of the Proposal (e.g. pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Proposer pricing will be subject to disclosure upon approval of the contract. The Agency will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to the Agency to view portions of a Proposal that the Proposer has properly and clearly marked confidential, the Agency will notify the Proposer of the request and of the date the Agency plans to release the records. By submitting a Proposal, Proposers agree that unless the Proposer obtains a court order, at its sole expense, enjoining the release of the requested information, the Agency may release the requested information on the date specified in the Agency's notice without any liability to the Proposers.

F. Non-Commitment

Notwithstanding any other provision of this RFP, this RFP does not commit the Agency to award a Contract. The Agency reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

G. Proposal Preparation Cost

By submitting a Proposal, a Proposer agrees that in no event shall the Agency be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting Contract.

H. Ethical Requirements

From the time this RFP is published until a contract is awarded, no bidder shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or similar submission. Any bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any bidder who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from bidding on the RFP, or similar request for submission and every such bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the department of administrative services, which shall note that information on the list maintained on the state's internal intranet system, except in the case of annulment, the information, shall be deleted from the list.

I. Challenges on Form or Process of the RFP

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of the Agency at least ten (10) business days prior to the Proposal Submission Deadline. By submitting a proposal, the Proposer is deemed to have waived any challenges to the agency's authority to conduct this procurement and the form and procedures of this RFP.

Section 8 – Contract Terms and Award

A. Non-Exclusive Contract

Any resulting Contract from this RFP will be a non-exclusive Contract. The State reserves the right, at its discretion, to retain other Contractors to provide any of the Services or Deliverables identified under this procurement or make an award by item, part or portion of an item, group of items, or total Proposal. Award If the State decides to award a contract as a result of this RFP process, any award is contingent upon approval of the Contract by Governor and Executive Council of the State of New Hampshire and upon continued appropriation of funding for the contract.

B. Standard Contract Terms

The Agency will require the successful bidder to execute a Not to Exceed Contract using the Standard Terms and Conditions of the State of New Hampshire which is attached as Appendix A. The Term of the Contract will be for 1 year from the date of approval. The contract term may be extended by an additional term of 1 year at the sole option of the State, subject to the parties' prior written agreement on terms and applicable fees for each extended term. contingent upon satisfactory vendor performance, continued funding and Governor and Executive Council approval.

To the extent that a Proposer believes that exceptions to the standard form contract will be necessary for the Proposer to enter into the Agreement, the Proposer should note those issues during the Proposer Inquiry Period. The Agency will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion. If the Agency accepts a Proposer's exception the Agency will, at the conclusion of the inquiry period, provide notice to all potential proposers of the exceptions which have been accepted and indicate that exception is available to all potential proposers. Any exceptions to the standard form contract that are not raised during the proposer inquiry period are waived. In no event is a Proposer to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.