

# RFP # 19-007 Special Education Technical Assistance Partnership (TAP) for Equity

## Questions and Answers

**Please note:** The subcontracting limit of thirty percent (30%) has been increased to forty percent (40%). This limit applies to all non-employee direct personal services, including services provided by partner organizations and services provided by MWBEs.

### Program Questions

- 1. What is the reasoning behind limiting eligible bidders to New York State institutes of higher education for the Special Education Technical Assistance Partnership Center for Equity?**

*Institutes of Higher Education have the resources necessary to create and provide a credit-bearing virtual seminar designed for preservice educators.*

- 2. Where do I go if I have questions about my child with a disability to understand his rights?**

*Currently, parents may contact the [Office of Special Education Quality Assurance](#), the [Early Childhood Direction Centers](#) or [Special Education Parent Centers](#) for support. Once the contracts for the Early Childhood Direction Centers and Special Education Parent Centers end in June 2019, parents may contact the Early Childhood or School-age Family and Community Engagement Centers with questions about the special education process. Contact information for these centers will be provided prior to implementation of the OSE Educational Partnership.*

- 3. Are partnerships allowed with private schools and/or non-profit organizations?**

*It is not clear from this question what is meant by “partnerships.” Eligible bidders for this RFP are institutes of higher education (IHE). This RFP is not designed for joint bids. However, the bidder may propose to subcontract with other entities to provide some of the services required. All subcontracting is limited to 40% of the total budget.*

- 4. May project staff be employees of a private school or non-profit organization?**

*Please see the response to question 3. Any staff person employed by an entity other than the bidder would be considered a subcontractor and included in the 40% subcontracting limit.*

- 5. If a joint bid is made for this project, are both bidders required to be Institutes of Higher Education?**

*This RFP is not designed for joint bids. However, the bidder may propose to subcontract with other entities to provide some of the services required. All subcontracting is limited to 40% of the total budget.*

- 6. If a joint bid is made, do both parties need to submit their own set of subdocuments? Or just the primary bidder? Would one of the bidders be considered a subcontractor?**

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*This RFP is not designed for joint bids. Only a single Institute of Higher Education may submit a bid, and any other entities providing services would be considered subcontractors. Most of the submission documents relate to the prime bidder only. Any other entities who will be providing services under the contract should be listed by the prime contractor in the bid, including on the Subcontracting Form and, if applicable, the MWBE documents. Any subcontractor expected to receive more than \$100,000 should complete its own Vendor Responsibility Questionnaire.*

- 7. Will the state be releasing separate procurements for the other Technical Assistance Partnerships (TAPs) cited within the RFP background (Data, Academic, Behavior, Transition)? If not, how does the state envision that work being carried out?**

*All currently available funding opportunities for the OSE Educational Partnership have been posted at [Competitive Procurement Contracts](#). The TAPs for Data, Transition, Behavior and Academics are being addressed by other means.*

- 8. What are the operational timelines for the other TAP centers?**

*The contract for the TAP for Equity is anticipated to begin July 1, 2019 and will end December 31, 2023. Specific questions regarding other TAPs cannot be addressed through this question and answer process.*

- 9. What is the scope of interactions across TAP centers?**

*It is expected that all TAPs will work closely together to provide resources, training, and support, under the direction of OSE.*

- 10. Must all materials to be developed be original?**

*If resources exist that are appropriate for the work of the OSE Educational Partnership, they will be reviewed and approved by the Partnership Implementation Team (PIT).*

- 11. Can existing state or federal technical assistance resources be adapted (with acknowledgement and permission if needed)?**

*Yes. See the response to question 10.*

- 12. How does NYS see the role of general education in the work of the TAPs?**

*OSE recognizes the importance of including general education professionals in the work of the OSE Educational Partnership. Materials developed and support offered by all members of the OSE Educational Partnership will be available to general education staff as well as special education staff. In addition, the TAPs will work together to create and offer a credit-bearing*

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*virtual seminar designed for preservice educators. Such a seminar would be available to general education educators, as well.*

#### **13. What is the expectation for design-based feedback in planning and implementation of the Equity TAP?**

*All materials and support created by all members of the OSE Educational Partnership, including the TAP for Equity, will be evaluated on an ongoing basis.*

#### **14. May we include attachments and letters of support with our proposal and, if so, in what format?**

*Objective descriptions of agency experience and expertise are expected as outlined under the criteria for evaluating bids. Letters of support were not required. It is not clear what is meant by "attachments," but if there are materials relevant to organizational capacity, they may be submitted in the format outlined in the RFP.*

### **Fiscal Questions**

#### **1. Are sub-awards to private k-12 schools allowed?**

*Contract funds are to be used to complete the scope of work outlined in the RFP and may not be granted or sub-awarded to any entity. However, the contractor may subcontract with other entities to provide some of the services required under the contract. All subcontracting is limited to 40% of the total budget.*

#### **2. Are sub-awards to non-profit organizations allowed?**

*Contract funds are to be used to complete the scope of work outlined in the RFP and may not be granted or sub-awarded to any entity. However, the contractor may subcontract with other entities to provide some of the services required under the contract. All subcontracting is limited to 40% of the total budget.*

#### **3. Are partnerships allowed?**

*This RFP is not designed for joint bids. However, the bidder may propose to subcontract with other entities to provide some of the services required. All subcontracting is limited to 40% of the total budget.*

#### **4. Is this a reimbursement contract?**

*Yes, the contract resulting from this RFP will be a reimbursement contract. The contractor will be expected to report actual expenditures on a quarterly basis and will be reimbursed for those expenditures up to the amount in the approved budget.*

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### 5. Is there is an annual budget ceiling? If yes, what is that amount?

*NYSED is not providing an annual budget ceiling for this project. Bidders should develop budgets based on the anticipated expenses associated with carrying out the deliverables. Please keep in mind that this RFP employs a “best value” method of procurement, with 30 percent of the overall points awarded based on cost. (See “Criteria for Evaluating Bids” section of the RFP for additional information). Bidders are encouraged to submit budgets that are cost effective.*

### 6. Can the Research Foundation for SUNY be the fiscal agent?

*The Research Foundation for SUNY (or the Research Foundation of CUNY) may serve as the fiscal agent for SUNY (or CUNY) bids.*

### 7. The RFP references Appendix C – Payment and Reporting Schedule, but there is no Appendix C in the RFP document.

*The Appendix C - Payment and Reporting Schedule will be created after award and included in the contract resulting from the RFP. This appendix is not a part of the RFP itself.*

### 8. The RFP submission packet includes a Technical Assistance Center Certification form. Is this form required for the Technical Assistance Partnership for Equity provider (which is not a “Center”)?

*Yes, submitting the Technical Assistance Certification form is a Mandatory Requirement.*

### 9. What exact calculation/formula will be used to compute the relative difference of each proposal against the lowest budget submitted?

*As described in the RFP, the cost proposal is worth 30 percent, or 30 points, and is based on the grand total of the five-year budget summary submissions. The lowest cost proposal is awarded 30 points, while the others are calculated according to this formula:  $30 \times (\text{lowest proposal} / \text{proposal being evaluated})$ . For example, Bidder A is the lowest cost at \$1,000,000 and receives 30 points for the cost score. Bidder B is twice the cost at \$2,000,000 and through the formula is awarded 15 points.*

### 10. Can you provide an example of the formula used to rate the budget showing the calculation of “relative difference of a proposal against the lowest budget submitted?”

*As described in the RFP, the cost proposal is worth 30 percent, or 30 points, and is based on the grand total of the five-year budget summary submissions. The lowest cost proposal is awarded 30 points, while the others are calculated according to this formula:  $30 \times (\text{lowest proposal} / \text{proposal being evaluated})$ . For example, Bidder A is the lowest cost at \$1,000,000*

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*and receives 30 points for the cost score. Bidder B is twice the cost at \$2,000,000 and through the formula is awarded 15 points.*

- 11. Can you please define "purchased services" and "subcontractors?" And explain how they are different. For example, if we purchased copying services from an MWBE, would that be considered a service provided by a "subcontractor" or would it be considered a "purchased service?"**

*As indicated on the Cost Proposal, purchased services include subcontractors, rentals, tuition, or other contractual services. Subcontracting is defined in the RFP as non-employee direct personal services and related incidental expenses, including travel. Therefore, all subcontractors are purchased services and should be listed on the budget under either "Purchased Services" or "Purchased Services with BOCES."*

### M/WBE Questions

- 1. On page 3 of the RFP, under M/WBE, it states "overall goal of 30% of the total contract amount for M/WBE participation, 17% MBE and 13% WBE." On page 5 of the RFP, under the SDVOB section, it states "...NYSED strongly encourages bidders to make maximum use of SDVOBs as sub-contractors and/or suppliers... at a rate of 6%." On page 10 of the RFP, under Subcontracting Limit, it states "Subcontracting will be limited to 30% of the total contract budget." If we include the SDVOB participation rate at 6%, and meet the M/WBE goal of 30%, it puts the project over the 30% sub-contracting cap. Is there a list of M/WBE providers who are also SDVOBs? If so, please provide link to this resource.**

*Currently, NYSED is not aware of a resource which includes vendors who hold both NYS MWBE and SDVOB certification. A directory of M/WBE certified vendors can be found at <https://ny.newnycontracts.com/> and a directory of SDVOB certified vendors can be found at <https://ogs.ny.gov/Veterans/>.*

- 2. In the grant it states "Subcontracting will be limited to thirty percent (30%) of the total contract budget. Subcontracting is defined as non-employee direct personal services and related incidental expenses, including travel. Bidders are required to comply with NYSED's Minority and Women-Owned Business Enterprises (M/WBE) participation goals for this RFP through one of three methods. Compliance methods are discussed in detail in the Minority/Women-Owned Business Enterprise (M/WBE) Participation Goals section below." The RFP then states on page 3 and 5 that "17% of funds be allocated to Minority-Owned Business Enterprises (MBE) and 13% be allocated to Women-Owned Business Enterprises (WBE). On page 5 it strongly encourages bidders to use Service-Disabled Veteran Owned Businesses (SDVOB) at a rate of 6%". Are MWBES considered subcontracts? If you state that we cannot subcontract above 30%, how can we possibly fulfill the "strong encouragement by the state to use SDVOBs at**

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**a rate of 6%? When we are asked to spend 30% of our budget on MWBEs? This would bring our subcontracting budget up to 36%, correct?**

*Please note that the subcontracting limit has been increased to 40%. This limit includes subcontracts with MWBEs, SDVOBs, and other entities. Proposals that exceed the limit will not be considered for an award.*

*All bidders are required to comply with NYSED's Minority and Women-Owned Business Enterprises (M/WBE) policy and therefore responsible for identifying areas in their budget where an M/WBE can be utilized. M/WBE participation is not limited to subcontracting and includes services, materials, or supplies purchased from minority and women-owned firms certified with the NYS Division of Minority and Women Business Development. The MWBE Coordinator is available to assist bidders throughout the procurement process and can be reached at [MWBE@nysed.gov](mailto:MWBE@nysed.gov).*

*Bidders are also encouraged to utilize SDVOB as subcontractors and/or supplies at a suggested rate of 6%.*