

## Questions and Answers for RFP 20-004

1. Program/Fiscal: Page 5 of the RFP states that “RICs provide answer sheets and scanning services to schools for paper-based tests ...” However, the requirements of Component 1c are for the vendor to provide printing services. Can NYSED please clarify if the Regional Information Centers (RICs) print the answer documents for all schools and are therefore responsible for the costs associated with this aspect of printing and delivery of these to the schools participating in the paper based tests (PBTs), or is the vendor in fact responsible for printing of the answer documents and their delivery to the schools and therefore our cost proposal would include costs associated with this task?
  - A: For operational testing with PBT, all schools obtain scannable answer sheets and scanning services from their RICs. For operational testing, the vendor is not responsible for the printing of scannable answer sheets or for their delivery to schools.
  
2. Please clarify the number of submissions required as there appears to be a discrepancy between the RFP (page 95) and the Submission Documents. Is it eight copies of the Technical Proposal and two copies of the Cost Proposal, OR five copies of the Technical Proposal and three copies of the Cost Proposal?
  - A. Bidders should submit eight printed copies of the Technical Proposal (at least one of which should contain an original signature) and two printed copies of the Cost Proposal (at least one of which should contain an original signature). Bidders should also submit the additional documents in the formats specified under “Project Submission” on page 95 of the RFP.
  
3. How many items, by item type, are in the item bank for the science assessments?
  - A: Work in developing this item bank is just getting underway. Consequently, we have no items in the item bank for the science assessments at this time.
  
4. How many Regional Information Centers (RICs) are in the state that participate in the grades 3-8 assessment process? (page 5)
  - A. There are 12 RICs in the state that participate in the grades 3-8 assessment process. In addition, two of the large city districts operate their own scanning/data processing centers that serve the same functions as the RICs for the schools in their districts.
  
5. Please provide a count of usable items in the current NYSED item bank for use in field testing Next Generation ELA & Math Standards in year 1.
  - A. The development of operational and stand-alone field tests for spring 2020 has not yet been completed. Therefore, we are not able to provide definitive item counts at this time. Most or all of the items that will be field tested in year 1 are being written

this winter by NYS teachers at item writing workshops being conducted by the current vendor. The aim is to develop at these workshops two or more times the number of items needed to populate one year's operational test forms.

6. We have the following questions regarding the transfer of the item bank from the current contractor to the new contractor:
  - a. How many items will need to be transferred by grade and content area?
    - A. The development of operational and stand-alone field tests for spring 2020 is not yet complete. Therefore, we are not able to provide definitive counts at this time. In addition to those new items being written this winter, (see Q. 5) the new contractor will need to transfer all of the items that were included in operational testing in 2013-2020 which were not released following the operational test administration as well as items that were field tested in spring 2018 and spring 2019 but were not included in operational tests in subsequent years. In sum, the new contractor will be transferring between 100 and 300 items for each grade/subject.
  - b. In what format will the items be transferred (e.g., QTI)?
    - A. Items are QTI item packages, which contain xml and csv files. Some files may also be in InDesign.
  - c. How will the metadata for the items be transferred?
    - A. Metadata will be in csv or Excel. The new contractor will work with the old contractor to arrive at a mutually agreeable format and process for the transfer of the metadata.
  - d. In what format will any graphics be transferred?
    - A. Graphics are in .eps and .svg.
7. Are the tables on page 15 describing operational core items that count towards student scores, or all item counts within the core, including field test or other research positions?

The note under each table on page 15 indicates that Session 1 includes "embedded MC questions". Are these embedded MC questions field test questions or embedded for other research positions? Does "included" mean included in the counts shown in the tables or in addition to the counts shown in the tables?

  - A. The tables on page 15 of the RFP show the total numbers of all passages and all items in each session of the test including those that are embedded MC questions and do not contribute to student scores. The embedded MC questions are field test questions.

8. a. What is the expected word count and readability measures expected for each grade level?
  - A. Please refer to information in the Educator Guide to the 2019 English Language Arts Tests available at <https://www.engageny.org/resource/test-guides-english-language-arts-and-mathematics-archive-2019> for information on passage word counts and readability measures.
- b. Are the passages used in Session 1 for Reading distinct from the passages used in Section 2 for Writing, or are they the same passages? If passages used in Section 2 for writing are not the same as the passages used in Section 1, are the Passages used for writing permissioned, public domain, or commissioned?
  - A. The passages used for session 1 are not distinct from those used for session 2. The passages used in both sessions are a combination of permissioned and public domain. NYSED does not use commissioned passages for this assessment program.
9. The RFP states that “*the written agreement between the contractor and the copyright holders, for works used in the field tests and operational tests, must expressly state that NYSED is being granted permission to post the test containing the copyrighted work on the NYSED web site for no less than three years following the administration of the operations test.*” Will the posting of these copyrighted works on the NYSED web site be based on secure (permissioned) access or open access?
  - A. NYSED’s posting of these copyrighted works on the NYSED web site will be based on permissioned access except for those passages used on the tests that are from public domain.
10. Are the tables on page 20/21 describing operational core items that count towards student scores or all item counts within the core, including field test or other research positions? The note under each table on page 20/21 indicates that Session 1 includes “embedded MC questions”. Are these embedded MC questions field test questions or embedded for other research positions? Does “included” mean included in the counts shown in the tables or in addition to the counts shown in the tables?
  - A. The tables on page 20/21 of the RFP show the total numbers of all items in each session of the test including those that are embedded MC questions and do not contribute to student scores. The embedded MC questions are field test questions.
11. Per the table, Rangefinding takes place in mid-July. Please confirm that the contractor responsibility for rangefinding begins in July 2021 (following the 2021 administration) and that the current vendor is responsible for rangefinding in summer 2020 for the field test items included in the spring 2020 administration.

- A. Your understanding is correct.
12. Are the external people noted under the External Staffing Requirement on page 34, the same people involved in the external QC process mentioned on page 156?
- A. Yes, the external people noted under External Staffing Requirement on page 34 are the same people involved in the external QC process mentioned on page 156. As stated on page 34, “Those events requiring external content capacity are described in the test development process in Attachments B, C and D and the list of development steps/events for which external staffing is required are provided in Attachment F.”
13. The RFP states that “Every school with Grades 3–8 enrollment will be assigned to a field test sample in one grade level in either ELA or Math, not both.” Please confirm that this sampling plan only pertains to Stand Alone Field Testing, and not field test items embedded in the operational tests.
- A. Your understanding is correct.
14. a. Items 2 and 3 indicate that the operational answer sheets are developed and scanned locally. Please confirm that the operational answer sheets are also printed and shipped by these entities and that the contractor has no responsibility for printing or shipping operational answer sheets.
- A. Your understanding is correct.
- b. In addition, please clarify the responsibility of the contractor as it pertains to ELA session 1 answer booklets, which are included in Attachment L.
- A. NYSED anticipates that with the new test design for the ELA assessments measuring the NYS Next generational ELA standards (beginning in spring 2021), the Session 1s may include a limited number of constructed-response questions along with a significant number of multiple-choice questions. For the constructed-response questions in Session 1 of the ELA tests, students testing with PBT will write their responses in separate 4-page answer booklets rather than in the Session 1 test booklet. If this change in the test design comes to fruition, the contractor will be responsible for printing these answer booklets and distributing them to those schools administering the tests with PBT as part of Component 1c.
15. The quantities for total page counts displayed on page 68 appear to be in error. In looking at Attachment L, it looks like there is a formula issue in cell M221. This cell should be summing the previous cells in column M. Please confirm and provide a revised version of Attachment L for bidding purposes, as well as revised total quantities for page 68.
- A. Thank you for bringing to our attention that the Attachment L: Print Quantities originally posted for RFP 20-004 contained some errors and did not accurately

represent the expected volume of pages to be printed for the Grades 3-8 English Language Arts and Mathematics Tests. In addition, the total print page count in the table on page 68 of the RFP, which mirrored Attachment L, was also incorrect. A [revised version of Attachment L](#), with a reduced total print page count, and a [revised version of the RFP](#) with correction to the table on page 68 have been posted.

16. Regular test booklets are to be shipped in packages of 10 and 25. What percentage of the total quantity should be allocated for each pack size?
  - A. It will be up to the contractor to decide the best breakdown of each.
17. Page 69 of the RFP states that “As required by NYSED, the contractor will also provide a printed English-version test booklet to accompany the translated mathematics test booklets for both PBT and CBT, on a one-to-one basis. Please confirm that these quantities are factored into the print counts provided in Attachment L.
  - A. Yes, these quantities are factored into the print counts provided in Attachment L.
18. Page 69 of the RFP states that Teacher Directions for PBT and CBT will be delivered as 1 copy per 20 students. However, column L of Attachment L indicates 2 copies per 25 test booklets. Please clarify which should be used for costing purposes.
  - A. For costing purposes, bidders should use the information on quantities of the Teacher’s Directions to be printed provided in Attachment L.
19. Page 69 of the RFP states that the Test Read copies will be packaged in packs of 2 for both PBT and CBT. Please confirm that these quantities are factored into the Test Read print counts provided in Attachment L.
  - A. These quantities are factored into the Test Read print counts provided in Attachment L.
20. Please confirm that storage of the locally scanned answer sheets is not included in the scope of the RFP.
  - A. Your understanding is correct.
21. We have the following questions regarding the transfer of the Science item bank from NYSED to the new contractor for online administration:
  - a. How many science items will need to be transferred to the contractor by grade for each contract year (including both field test and operational items)?
    - A. For each year of the contract, approximately 180 items will need to be transferred to the contractor for each of the Grade 5 and 8 science field testing

(for a total of 360 items). The operational test designs have not yet been established, but the current designs for the elementary- and intermediate-level operational science tests include 45 and 85 items, respectively. Including the probable insertion of a cluster of 4-5 embedded field test items in each of the operational test forms, the new test in grade 5 is unlikely to have more than 60 items and the new test in grade 8 is unlikely to have more than 85 items.

b. In what format will the items be transferred (e.g., QTI)?

A. Items will be transferred as untagged text (i.e., Microsoft Word docx) files.

c. How will the metadata for the items be transferred?

A. Metadata for the items will most likely be transferred as Microsoft Excel xlsx files.

d. In what format will any graphics be transferred?

A. Graphics will most likely be transferred as grayscale EPS art (i.e., Adobe Illustrator) files and will be embedded within the Microsoft Word documents containing the items.

22. Please indicate how many CBT test forms per grade for science should be administered online for both operational and SAFT for each year of the contract. Please also provide the test designs for science for informational purposes so bidders can understand the design of the CBT forms.

A. Approximately 20 standalone field test forms for each of the Grades 5 and 8 science tests will be administered with CBT each year of the contract. Most likely 4 operational forms will be administered in a spiraled fashion with CBT for each of the Grades 5 and 8 science tests for the first administration (spring 2022) of new operational testing under the contract term. In subsequent years of operational testing, NYSED will likely increase the number of operational test forms to be administered with CBT to a maximum of 12 forms for each grade. If school participation with CBT for the science tests increases over the course of the contract term to become the predominant mode of testing, it may become possible for NYSED to reduce somewhat the number of standalone field test forms administered.

Each of the operational test forms administered within each grade will likely include one cluster of 4-5 embedded field test items. The cluster of embedded field test items will be inserted in the same positions in each of the operational test forms. The test designs for the Grades 5 and 8 science tests have not yet been established. The current science test designs include a mix of multiple-choice and constructed-response questions: 45 questions at the elementary level and 85 questions at the intermediate level. Including the probable insertion of a cluster of 4-5 embedded field test items in each of the operational test forms, the new test in grade 5 is unlikely to

have more than 60 items and the new test in grade 8 is unlikely to have more than 85 items.

23. Please define what is meant by “Consultant Staff.”
  - A. Consultant staff refers to employees of the contractor or of its subcontractors whose regular work assignments include contributing to the development and/or administration of the NYS Grades 3-8 ELA and/or Mathematics Tests.
24. Attachment L includes answer documents for ELA Session 1 only. Please clarify the responsibility of the contractor as it pertains to ELA session 1 answer documents. Is the contractor responsible for printing, shipping, and return of these answer sheets? What about scanning?
  - A. NYSED anticipates that with the new test design for the ELA assessments measuring the NYS Next generational ELA standards (beginning in spring 2021), the Session 1s may include a limited number of constructed-response questions along with a significant number of multiple-choice questions. For the constructed-response questions in Session 1 of the ELA tests, students testing with PBT will write their responses in separate 4-page answer booklets rather than in the Session 1 test booklet. If this change in the test design comes to fruition, the contractor will be responsible for printing these answer booklets and distributing them to those schools administering the tests with PBT as part of Component 1c. These answer booklets would be retained at the schools where the tests are administered. The contractor would not be responsible for return of the answer booklets. The contractor will not be responsible for producing or scanning the scannable answer sheets for Session 1.
25. In Attachment L, the page counts per book for Math Session 1 in each grade seem to be in error. Please clarify these page counts for Math Session 1 regular test books. Note that this will also change the total pages printed for math session 1 test books.
  - A. Thank you for bringing to our attention that the Attachment L: Print Quantities originally posted for RFP 20-004 contained some errors and did not accurately represent the correct page counts for some of the Session 1 test booklets or the expected total number of pages to be printed by the contractor for the Grades 3-8 English Language Arts and Mathematics Tests. Attachment L also did not account for the Mathematics Test Booklets, Test Read editions. In addition, the total print page count on page 68 of the RFP, which mirrored Attachment L, was also incorrect. A [revised version of Attachment L](#), with a reduced total print page count, and a [revised version of the RFP](#) with correction to the table on page 68 have been posted. In the revised edition of Attachment L: Print Quantities, the page counts for Session 1 Math assessments range from 16 – 32 pages per booklet, depending upon the grade level.
26. For the purposes of equitable proposal estimating, what percentage of online testers should bidders assume for each year of the contract?

- A. Bidders should not make any assumptions about the percentage of students who will be testing with CBT. The costs proposed by the bidder for activities in Component 1B of the RFP will be the entire compensation the bidder will receive regardless of the percentage of students testing with CBT.
27. Please provide line number references from the Bid Form Cost Proposal for each activity line item subject to a liquidated damages provision. Some of the items listed on page 40 do not correlate with a line from the Bid Form Cost Proposal.
- A. The activities found within the Component 1A section of the Bid Form Cost Proposal that may be subject to the liquidated damages provisions on page 40 of the RFP are specified under the headings “For ELA Assessments” and “For Mathematics Assessments” on this page. With the exception of “Draft Items for [relevant year] Field tests,” the wording of the applicable activities on page 40 of the RFP and the corresponding activities in the Bid Form Cost Proposal are very similar. The activity found in the Bid Form Cost Proposal that corresponds to the activity of “Draft Items for [relevant year] Field Tests” is “Conduct Four Regional Item Writer Workshops,” as these workshops are where the field test items will be drafted.

The activities listed on page 40 of the Component 1A section of the RFP that may be subject to liquidated damages provisions and their corresponding listing in the Bid Form Cost Proposal are shown in the table below:

<b>Activity Listed on Page 40 of RFP</b>	<b>Activity Listed in the Bid Form</b>
<b><i>For ELA Assessments</i></b>	
Obtain Passages for [relevant year] ELA Field Tests	Obtain Passages to Develop [relevant year] ELA Field Tests
Draft Items for [relevant year] ELA Field Tests	Conduct Four Regional Item Writer Workshops for [relevant year] ELA & Math Field Test Item Development (prorated 50% for ELA and 50% for Math*)
Submit Proposed [relevant year] Field Test Passages and Items to NYSED	Submit Proposed [relevant year] Field Test Forms to NYSED (prorated 50% for ELA and 50% for Math*)
Construct Stand-alone ELA Field Test Forms for [relevant year] Including Anchor Items	Construct [relevant year] ELA and Math SAFTs Including Anchor Items (prorated 50% for ELA and 50% for Math*)
<b><i>For Mathematics Assessments</i></b>	
Draft Items for [relevant year] Math Field Tests	Conduct Four Regional Item Writer Workshops for [relevant year] ELA & Math Field Test Item Development (prorated 50% for ELA and 50% for Math*)

Submit Proposed [relevant year] Math Field Test Items to NYSED	Submit Proposed [relevant year] Field Test Forms to NYSED (prorated 50% for ELA and 50% for Math*)
Construct Stand-alone Math Field Test Forms for [relevant year] Including Anchor Items	Construct [relevant year] ELA and Math SAFTs Including Anchor Items (prorated 50% for ELA and 50% for Math*)

\* Please note: for purposes of applying the liquidated damages provisions, 50% of the cost of this activity will be attributed to the ELA test development activity and 50% will be attributed to the Math test development activity.

28. The lines referenced on pages 45-47 for Liquidated Damages do not correlate with lines from the Bid Form Cost Proposal. For instance, do the sections for translated editions and large type refer to the lines labeled as “Provide Camera Ready <year> Operational Test Forms for Translated Editions” and “Provide Camera Ready <year> Operational Test Forms for Large Type?” Likewise, lines referenced for Scoring Materials are inconsistent in the paragraph on page 47 and neither are listed as quoted in the Bid Form Cost Proposal. Please clarify.

A. Your understanding of the activities found within the Component 1A section of the Bid Form Cost Proposal that correspond with the Translated Editions, Braille, and Large Type development related activities that are subject to the liquidated damages provisions found on pages 45 - 46 of the RFP are correct. Although the wording for these activities found in these two documents is not identical, the wording is sufficiently similar as to make the correspondence clear.

The activity associated with the development of scoring materials included in the liquidated damages provisions found under the heading *Scoring Materials for Constructed-Response Items* on page 47 of the RFP and its corresponding listing in the Bid Form Cost Proposal is shown in the table below:

<b>Activity Listed on Page 47 of RFP</b>	<b>Activity Listed in the Bid Form</b>
Submit Scoring Files Including Consistency Assurance Sets for Operational Tests	Submit Proposed Operational Scoring Materials Sets for the [relevant year] Operational Tests to NYSED, AND Develop and Provide Printable PDF Files with the Scoring Materials Sets for the [relevant year] Operational ELA and Math Tests (both costs prorated 50% for ELA and 50% for Math)

29. It appears from the Bid Form Cost Proposal that NYSED requires comparability studies in all years. Please confirm that line 234 in the Bid Form Cost Proposal for Component 1 should have a deliverable date of June 2024, not June 2019.

A. Your understanding is correct. Thank you for bringing this to our attention.

30. a. RFP notes percentage of *schools* testing with CBT. What is the current percentage of *students* testing with CBT?

A: Enrollment in CBT for operational testing in spring 2020 has declined from what had been projected in the RFP. The percentage of schools enrolling in CBT for the spring 2020 operational tests currently stands at 25% and is not expected to increase prior to this school year's test administration. Because there are many factors that impact actual student participation in the assessments, we are not able, prior to the last administration date, to provide a good estimate of the percentage of students who will actually take the tests with CBT in spring 2020.

- b. What is the anticipated shift from PBT to CBT in student testing % in years 2-5?

A: NYSED is not able to provide projections for future years.

31. Is it correct that the goal of 30% of the total contract amount is for the combined component 1 and component 2 contract total? If not, please clarify.

A. In the event that NYSED awards a contract containing both Components 1 and 2, then the 30% goal for M/WBE participation will be applied to the total contract amount for Components 1 and 2 combined. If NYSED awards a contract containing only Component 1, then the 30% goal will be applied only to the amount for Component 1. Bidders should complete the separate Subcontracting and M/WBE Purchases Forms for Component 1 only (tabs 3 and 4 of the Cost Proposal workbook) and Components 1 and 2 combined (tabs 5 and 6 of the Cost Proposal workbook). Depending on the scope awarded, NYSED will review the applicable forms for compliance with the M/WBE participation goal.

32. What is the current number of embedded paper field test variants in the operational test per grade? Does NYSED have a target number of paper FT variants it wishes to see published as CBT increases? Also, is there a point where NYSED wants only one paper operational test form?

A. For the 2019 administration, there were 22 embedded paper field test variants (discrete printed test forms) for each grade level of the operational ELA tests and 14 embedded paper field test variants (discrete printed test forms) for each grade level of the operational Math tests. All of these same operational test forms were also administered with CBT. For each new year of the new contract the contractor must submit to NYSED for its approval a plan to develop sufficient numbers of discrete operational test forms as are needed to replenish and grow the item banks for this assessment program. This plan must at a minimum propose to develop at least as many operational test forms for both PBT and CBT as were developed for 2019. As stated on page 68 of the RFP, "If in any contract year, CBT becomes the

predominant mode (65% or more of the test takers) of testing for a grade and content area, the contractor will begin printing only one form for that grade and content area beginning with the next contract year.” NYSED does not envision making any reduction to the number of paper operational test forms until this rate of participation in CBT is achieved.

33. Besides the minimum list of tags, does the ability to search on tags include text within items or passages?

A. Yes

34. On the requirement, “provide printing options for NYSED,” is NYSED desiring the ability to generate print-ready assets from the item bank?

A. Yes

35. [With respect to “Feasibility Study for Implementing Computer-adaptive Testing” (CAT) on page 51,] please confirm that the costs of implementing CAT recommendations are only for *additional* costs that NYSED would incur for additional development, field testing, item bank management, CAT simulations, and statewide CAT setup, etc.

A. Yes, the Feasibility Study should only identify what are likely to be “additional” costs that would be associated with CAT.

36. There are two different durations specified for NYSED’s review of operational forms. Do these apply to different steps in development cycle? If so, to which step does p. 42 (20 days) apply? To which step does p. 52 (60 days) apply?

A. The timeline requirement listed on page 42 of the RFP pertains to the minimum time that the contractor is expected to allow NYSED to review all “products and procedures proposed ... in draft and final form” associated with all phases of the development of operational test forms. The timeline specifications listed on page 52 of the RFP pertain exclusively to the time allowed by the contractor for NYSED for review and checking of computer-based test forms. NYSED is asking that the contractor provide at least 60 days for NYSED’s review of the computer-based operational test and field test forms in the CBT platform environment in which students will engage with these forms. NYSED is amenable to conducting its review of these CBT forms on a rolling basis so long as the contractor provides 60 days for NYSED’s review of the preponderance of the CBT test forms and no less than 30 days for NYSED’s review of any remaining forms.

37. Do the scoring materials include ELA passages?

A. Yes

38. We note that the contractor will provide NYSED the General Research File. And we note that NYSED has their own reporting system (IRS). Therefore, we are seeking clarification of the content of the reports being required in these two requirements for the Administrative System (page 58, items j and k). Please describe what information these reports should include.

A. The reports that the contractor's CBT Administrative System must allow authorized users to download and export contain information as to the enrollment of students in computer based testing and their status relating to the start and completion of the ELA and Mathematics Test sessions. The reports include student testing accommodations such as text to speech and alternate language mathematics test forms; not tested codes such as medically excused or test refusal; test sessions started and submitted; and number of questions answered for test sessions in progress. These reports are not expected to include information on the student scores on the tests.

39. May a response be scored by any NY teacher as long as the teacher is not from the school in which the student is enrolled? If not, please elaborate on any scoring restrictions that are not specified in the RFP. (page 60-61, "Scoring Platform and Data Management," item 2a)

A. This is the only restriction on who is eligible to score a student's response which the online scoring platform is expected to enforce. All other NYSED-policy related restrictions on the qualifications of raters are enforced by the scoring consortia leader and not by the scoring platform.

40. Please elaborate on the expected outcome of the (minimum) 4 training sessions:

a. can vendors assume these training sessions comprise presentation and review of NYSED content, grade, and item-specific training materials (anchor sets, rubrics, etc.)?

A: These training sessions are to teach scoring consortia leaders how they and their raters use the contractor's scoring platform for scoring operational constructed responses. This training should not include any secure test contents.

b. Please indicate what drives the number of training sessions; if the minimum is 4, what would cause the number of training sessions to be more than 4 and what is the maximum number possible?

A: Bidders should budget for four in-person training sessions. NYSED does not anticipate encountering circumstances that will warrant the need to provide more than four.

c. How many "scoring training sessions" were delivered by the current vendor each year of the current contract?

A: In both 2017 and 2018, regional training sessions on the CBT scoring platform were held in 5 locations around the state. In 2019, training sessions on the scoring platform were held in 4 locations around the state.

d. Please elaborate on the content of the 4 video tutorials: transition of what to what? Enhancements to what (system)?

A. The video tutorials will draw particular attention to any changes the contractor has made in the scoring platform from that was used by scoring consortia leaders and raters in the year before.

41. Do the print volumes noted in Attachment L include the materials for backup inventory to regional centers, as well as inventory to fulfill additional materials orders?

A. Yes.

42. Are there 12 Regional Centers plus NYC and Yonkers that will receive backup inventory?

A. There are 68 Regional Centers statewide (most typically one in each county). The regional centers receive supplies of printed testing materials from the contractor for distribution to schools during the administration periods. Regional Information Centers (RICs) are data centers. There are 12 RICs plus NYC and Yonkers district-led scanning centers that process student level data. The RICs do not receive backup inventories of secure test materials.

43. What types of inventory are shipped? Does it include secure material?

A. All regional centers are to receive regular, large type and test read editions of all test booklets. Select regional centers, identified by NYSED, will also receive braille and translated editions.

44. What is the average volume of inventory shipped to address shortages?

A. All Regional Centers are to receive regular, large print, and test read editions of all test books. Select Regional Centers, identified by NYSED, will also receive braille and translated editions. On average, each Regional Center will receive 100 copies of regular print editions of each grade and subject. Quantities of other formats of tests books provided to Regional centers will vary by location.

45. What is the percentage of schools and materials that are generally fulfilled as additional materials orders AMOs?

A. Our best estimates are that approximately 3% of schools typically receive their entire exam requests through the AMO process and that the contractor will also be shipping

an additional 3% of the total materials fulfilled in response to schools that submit late requests for additional materials, most often special editions such as translated editions.

46. [For “Component 2: Hosting Computer-Based Testing and Scoring for NYSED-Developed Grades 5 and 8 Science Written Tests... Host a Secure Site at Which School Administrators and Other NYSED-Approved Parties Can Access and Print Their School’s Student CBT-Entered Responses and the Associated Scores for the Spring ... Grades 5 and 8 Science Operational Written Tests”] Please clarify the expected desire for this requirement. (pages 73-78)]
- a. Is the expectation that the availability of constructed response (CR) score would result in an appeal process?
- A. No.
- b. What type of security restrictions are expected?
- A. Only the school principal and designated NYSED employees are to be allowed access to the student responses and the associated scores.
- c. Please define “NYSED-approved parties”. Would that include private citizens? i.e. Parent, BOCES?
- A. “NYSED-approved parties” are each CBT-participating school’s principal and designated NYSED employees. NYSED may also approve select school district level employees such as superintendents of schools if granting such access is feasible in the contractor’s secure system. NYSED will not be approving parents or private citizens to be given this access.
- d. Are the responses expected to be printed individually?
- A. Yes, the contractor must provide a utility that enables the principal and designated NYSED employees to print responses.
47. Given that the Cost Sheets place the ELA/Math PBT vs. CBT Comparability Study within the Component 1B, please direct bidders where to describe their technical response for that study from the five headings listed on page 101-104 (1. Organizational Capacity, 2 Training and Technical Support, 3. Preparation, 4 Online Operational and Field Test CBT Administration and Online Scoring, or 5 System Management), as there is no bullet among them that relates to the Comparability Study.
- A. Although the Bid Form Cost Proposal places the ELA/Math PBT vs. CBT Comparability Study within the Component 1B activities, this activity is an essential component of the research that is expected to be completed by the contractor’s

research/psychometric staff as part of the equating process (page 48). Consequently, the bidder's technical proposal should include documentation of its plans and capacity for conducting all of the research required by the RFP including the research studies that document the comparability of the test under PBT and CBT administration conditions (as explained on page 65 of the RFP). The bidder's plans and capacity for performing this research as described in its technical proposal will be evaluated as part of the ten points that may be awarded for 5. *Research* on pages 98 and 99 of the RFP.

48. a. Is this security reporting requirement specified under the heading *Secure Handling of Returned Assessment Materials* on page 70 of the RFP only applicable to the portion of secure materials being returned to the contractor?
- A. Yes.
- b. What is the manner in which a contractor would account for those materials being processed at a RICS Center?
- A. Regional Centers (not RICs) will return directly to the contractor all of the materials that they receive from the contractor but do not distribute to schools. In addition, the regional centers will submit a report of the booklet numbers for secure test materials that they distribute to schools. The receiving schools are to be held accountable for returning the regional center-provided secure materials to the contractor.
49. What percentage of the indicated 190,000+/- students in approximately 2,875 schools participating in the Grade 5 Science Test, and 125,000+/- students in approximately 1,750 schools participating in the Grade 8 Science Test, will do so via CBT?
- A. NYSED does not have a means to predict the percent of schools that will elect to administer the Science tests via CBT.
50. Although there is no provision in the RFP for delays in performance as a result of a force majeure event (events beyond the contractor's reasonable control including without limitation, acts of God; acts or omissions of governmental authorities or NYSED or any third party; strikes, lockouts or other industrial disturbances; acts of public enemies; wars; blockades; riots; civil disturbances; epidemics; floods; hurricanes; tornadoes; and any other similar acts, events, or omissions), does the NYSED acknowledge that such delays in performance would not constitute a breach of the contract?
- A. NYSED refers potential bidders to the relevant RFP language regarding force majeure events found on pg. 87, Notification Procedures.

51. If bidder would like to propose alternate terms or modifications to the NYSED terms and conditions included in the RFP, would NYSED prefer to see those in the proposal or should the bidder present these after award?
- A. Contractual terms, conditions and assumptions are inappropriate for inclusion in an initial proposal. However, pursuant to NYSED's Reservation of Rights on pg. 108 of the RFP, NYSED reserves the right to negotiate with the successful bidder within the scope of the RFP and in the best interests of the state.
52. Bidder assumes that this Q&A will become part of the final contract. If this is not correct, please explain.
- A. All questions that are relevant to the scope of work or contract terms will be included in the final contract as part of Appendix D – Program Workplan. Questions about proposal submission may be excluded.
53. Will the customer agree to allow the winning bidder to negotiate the amount of liquidated damages, or a possible cap to the cumulative total amount of liquidated damages payable by the contractor under the total term of the contract or on an annual basis? If not, please explain.
- A. No, liquidated damages terms are non-negotiable.
54. We presume that the obligation to indemnify the State in Section IV.A of the State of New York Agreement applies only to the extent that the Indemnitor is the cause of the damages. Is this correct? If not, please explain.
- A. The contract indemnification provision provides that the Contractor is solely responsible for damages arising out of or related to services provided by the Contractor or its subcontractors.
55. Will the RFP and the bidder's proposal be included in the final contract and in the order of precedence included on pg. 128? Where will these fall in the order of precedence?
- A. Relevant sections of the RFP and the bidder's proposal will be combined to create the Appendix D – Program Workplan and included in the final contract. Certain sections that are unnecessary in the contract, such as proposal submission instructions and bidder-submitted resumes and work samples, will not be included in the final contract document.
56. Bidder proposes a system that is cloud-based. As such, data is hosted in the cloud, not within a brick-and-mortar datacenter. Does NYSED understand and agree that this provision that "all confidential data [be] stored on computer and storage facilities maintained within Contractor's computer networks, behind appropriate firewalls" from Appendix R would not be applicable?

- A. NYSED will accept proposals that include cloud-based systems for hosting confidential data. The contractor will be responsible for taking all appropriate and reasonable measures to protect the confidentiality of data as required by federal and state laws and regulations. These may include but are not limited to the New York State Social Services Law, Personal Privacy Protection Law and Education Law §2-d; the federal Social Security Act and Family Educational Rights and Privacy Act; internet security laws; and any regulations promulgated thereunder.
57. a. We note that teacher participants that engage in pre-requisite training receive an additional honorarium. Please confirm the rate of honoraria to use for this contract term.
- A. Participants receive an honorarium of \$125 for completion of pre-requisite training, and receive an honorarium of \$200 a day for each of the 3 days of participation at the in-person Item Writing Workshop.
- b. Historically, is there a percentage of teachers that participate in the prerequisite training that do not also attend the item writer workshops?
- A. Historically, the attendance at the item writing workshop of educators that complete the training is very high, approximately 95% or better.
58. It is noted [in Column C of Attachment L] the page counts for Session 1 Math assessments range from 224 to 448 pages. Is this number the total over all the forms or perform?
- A. Thank you for bringing to our attention that the Attachment L: Print Quantities originally posted for RFP 20-004 contained some errors and did not accurately represent the correct page counts for Mathematics Test Session 1 test booklets or the expected total number of pages to be printed by the contractor for the Grades 3-8 English Language Arts and Mathematics Tests. In addition, the total print page count on page 68 of the RFP, which mirrored Attachment L, was also incorrect. A [revised version of Attachment L](#), and a [revised version of the RFP](#) with correction to the table on page 68 of the RFP have been posted. In the revised edition of Attachment L: Print Quantities, the page counts for Session 1 Math assessments range from 16 – 32 pages per booklet.