

September 21, 2020

RFP Number: 4900.1
Due Date: October 12, 2020
Open Time: 2:00 p.m.

To: Prospective Respondents:

The purpose of this Request for Proposal (RFP) is to solicit a consultant, with deep knowledge and expertise in leading work in racial equity to organize and lead a systemwide anti-racist audit. The anti-racist audit will provide an opportunity for us to both examine our systems, practices, and policies that do not create access, opportunities, and equitable outcomes for every student's academic and social emotional wellbeing.

Please respond according to the instructions provided in the attached. Submissions must be received on or before 2:00 p.m., on October 12, 2020. Submissions received after this date and time will not be considered. Submittals shall be delivered in a sealed opaque envelope with the RFP number, opening date and opening time indicated in the lower left corner of the envelope. Submissions shall be delivered to Montgomery County Public Schools Procurement Unit, 45 West Gude Drive, Suite 3100, Rockville, Maryland 20850.

The contractor must submit one (1) original, one (1) redacted copy, one (1) electronic version on CD or flash drive and three (3) separate copies of the proposal. The submission must be signed by an official having authority to contract with MCPS. The firm and official's name shall be used. This solicitation does not commit the district to pay any costs incurred in the submission of proposals or guarantee that an award will be made.

In the event of emergency closing of the MCPS Board of Education offices, this RFP will open at the same time on the next regular working day.

Sincerely,



Angela McIntosh Davis, Team Leader
Procurement Unit

AMD
Enclosure

**] Department of Materials Management
MONTGOMERY COUNTY PUBLIC SCHOOLS
Procurement Unit
45 West Gude Drive, Suite 3100
Rockville, Maryland 20850**

Request for Proposal No. 4900.1, Systemwide Anti-racism Audit Consultant

1.0 INTENT

The purpose of this Request for Proposal (RFP) is to solicit a consultant, with deep knowledge and expertise in leading work in racial equity to organize and lead a systemwide anti-racist audit. The anti-racist audit will provide an opportunity for us to both examine our systems, practices, and policies that do not create access, opportunities, and equitable outcomes for every student's academic and social emotional wellbeing. Furthermore, the audit will provide us the opportunity to examine not only the student experience but to analyze our policies and practices that impact staff members as well. Therefore, we will engage in a system-wide audit to examine the following areas:

- **School Culture:** *Are we holistically taking a proactive approach to teaching our students and staff about the harm of racism and hate bias? How are we strategically creating equitable and antiracist school cultures?* We need to evaluate how we support school staff and students with creating antiracist and equitable school cultures where all students and staff thrive academically and emotionally.
- **Workforce Diversity:** *Are we hiring for quality, expertise, and diversity in all areas of MCPS?* Determining and ensuring that we are hiring and retaining a highly qualified and diverse staff benefits the system by creating conditions where we are promoting and honoring a broad range of perspectives for both staff and students.
- **Work Conditions:** *Do we have a work environment in every office, division, and school that is astute to creating an environment that acknowledges and addresses the complexities around race, diversity, and inclusion and how these factors impact a person's physical, psychological, and emotional well being?* Ensuring that we have a healthy work environment fundamentally benefits our students. Not only does it allow them to benefit from staff that are able to maximize student learning experiences when they feel a part of a positive work environment but it allows us to model for students how to engage in healthy, respectful, and inclusive relationships and environments.
- **K-12 Curriculum Review:** *How does our curriculum provide interconnected and interdisciplinary learning experiences for students, preK-12, that strengthens students' sense of racial, ethnic, and tribal identities, helps students understand and resist systems of oppression, and empowers students to see themselves as change agents?* MCPS is currently analyzing the social studies curriculum for opportunities to address this issue, however, we want to evaluate the current opportunities, particularly for our younger students to purposely learn about these issues system-wide.
- **Community Relations & Engagement:** *Are we effectively engaging all communities to hear their needs and perspectives? Are we effectively working with our communities collaboratively to meet*

the needs of the students we serve? Through the audit we want to unpack how we are engaging with our communities and whether or not our current methods of engagement are effective for reaching everyone.

- **All In: Equity & Achievement Framework:** MCPS is committed to an All Means All approach for student success. While many of our students achieve at the highest levels, not all have had access, opportunities, and resources needed to meet their full potential. MCPS is committed to addressing disparities in student outcomes by closing gaps in opportunity and achievement for all students, in all classrooms, in all of our schools. The MCPS All In: Equity and Achievement Framework provides the purpose, path, and plan to ensure success for all students. The key questions that this framework addresses are: *Are our students learning? Are they learning enough? How do we know? If not, why not? What are we going to do about it?* Through the audit we would like to determine how the data already collected through the Evidence of Learning, Equity Accountability Model, and Equitable Access to Resources correlates to the data unearthed through the audit in order to create an action plan that serves to eliminate the achievement and opportunity gap for our students.

The consultant will lead and facilitate a commission of various stakeholders and provide innovative recommendations for removing institutional barriers that have not served our students, staff, and families to the highest level. Montgomery County Public schools is seeking an innovative and culturally responsive approach to (1) Engage stakeholders to solicit and report their voice data to share their experiences related to access, opportunities, and interactions with others and the impact on their academic or professional and social emotional well-being to identify the systemic barriers. (2) Create and collect new data sources that evaluate MCPS system-wide through an antiracist lens in the 6 areas outlined above. (3) Synthesize both new data sources collected and established MCPS data sources to identify patterns and trends that identify the systemic barriers and prioritize them to create recommendations (3) Collaborate with system staff to develop an action plan for the system to be implemented and monitored by MCPS Staff.

2.0 INTRODUCTION

Montgomery County Public School (MCPS) is the 14th largest school system in the United States, and the largest in the state of Maryland. During the 2019–2020 school year, MCPS serves more than 165,000 students from 157 countries speaking 150 languages. With a Fiscal Year (FY) 2020 Operating Budget of approximately \$2.68 billion, MCPS employs more than 23,000 employees. Among the 206 schools that MCPS operates, 41 are National Blue Ribbon schools. Five MCPS high schools rank in the top 200 of *The Washington Post's* 2017 High School Challenge, and all 25 MCPS high schools appear on this list, which only includes the top 11 percent of high schools in the country. MCPS has one of the highest graduation rates among the nation's largest school districts, according to an *Education Week* report. In 2010, MCPS was the recipient of the Malcolm Baldrige National Quality Award, the highest presidential honor given to American organizations for performance excellence. The student demographics of MCPS in 2020 are as follows:

MCPS, with its 208 schools, is the 14th largest school district in the country and the largest school system in Maryland. MCPS summary data from the 2019–2020 school year are presented below.

Number of students enrolled (as of September 30, 2019): 165,267 (representing 157 countries speaking more than 150 languages)

Student demographics:

Hispanic/Latino	32.4%
White	26.9%
Black or African American	21.4%
Asian	14.1%
Two or More Races	<5%
American Indian or Alaskan Native	<5%
Two or More Races	<5%

Students Receiving:

ESOL Services	18.2%
Free and Reduced-price Meals	33.8%
Special Education Services	11.7%

MCPS has a graduation rate of 88.7 percent and an attendance rate of 93.9 percent. Diversity is one of the system's strengths, but with the great diversity of our students and community, there can be challenges as we strive to create a school system that is welcoming and responsive to each of our students.

3.0 SCOPE OF SERVICES

The state of the nation has generated a level of intensity about race that must be addressed and we must collectively take action to address this for our MCPS community. Our employees, our students, our families, and our communities have to know we hear the pain, anger, and fear and we will take action. This level of intensity is prominent in our school system and has manifested itself in a variety of ways with multiple stakeholders.

The acts of violence, COVID-19 related deaths and illness, gaps in academic performance, unemployment, and the public deaths of African Americans are all disproportionately impacting African Americans and Latinx citizens, so race is a clearly a factor that has to be explicitly acknowledged and confronted. Our own data and students show that more has to be done to address the overall climate of the school system and the student results that still reflect the access, opportunity and achievement disparities that exist for African American/Black, Latinx, and student impacted by poverty with the understanding that race is more of a prevalent matter right now.

We have to think about the needs of our current employees; our new employees – some who are new to this area, and our parents who are entrusting their children to us either remotely or in-person. We have to think about our staff and community members, who stand with their colleagues of color to stop the racist inequities. They need resources to promote a climate where trust has to be re-established. The time is now to acknowledge the conditions and to meet the new needs of our students, staff, and families. This is the vision and rationale behind conducting an antiracist system audit. We want to take a deep dive into all

aspects of our system in order to determine our current state and then take strategic action in creating an antiracist school system.

3.1 Context

On July 14, 2020, Dr. Jack Smith, Superintendent, and Dr. Monifa McKnight, Deputy Superintendent, framed the vision behind conducting an antiracist system audit in MCPS. The presentation can be viewed [HERE](#) to gain an overview and understanding of not only the vision behind the audit but the Board of Education's interest and feedback on the process.

The following information and links are provided to assist potential consultants on gaining an understanding of the current work and data within MCPS that can assist in informing a proposal for the antiracist audit.

[MCPS Strategic Plan](#)

This Strategic Plan represents our continued commitment to the five core values that define what it means to be an exceptional school system: Learning, Relationships, Respect, Excellence and Equity. MCPS is committed to educating our students so that academic success is not predictable by race, ethnicity, gender, socioeconomic status, language proficiency or disability. We will continue to strive until all gaps have been eliminated for all groups. Our students will graduate with deep academic knowledge and become prepared for tomorrow's complex world and workplace. The above link provides detailed information and data on the six focus areas outlined in the Strategic Plan.

[All In: Equity and Achievement Framework](#)

MCPS is committed to an All Means All approach for student success. While many of our students achieve at the highest levels, not all have had access, opportunities, and resources needed to meet their full potential. MCPS is committed to addressing disparities in student outcomes by closing gaps in opportunity and achievement for all students, in all classrooms, in all of our schools. The MCPS All In: Equity and Achievement Framework provides the purpose, path, and plan to ensure success for all students. Included in the link is additional information, data, and presentations focused on the three main areas of this framework.:

- Evidence of Learning
- Equity Accountability Model
- Equitable Access to Resources

[ESSA: Maryland State Report Card](#)

In addition to achievement on state assessments, the Maryland School Report Card looks at factors such as growth in achievement, high school graduation rates, student access to a well-rounded curriculum, progress in achieving English language proficiency, and readiness for postsecondary success. The 2019 Maryland School Report Card adds valuable new information, including the results from a statewide School Survey, state science assessment results for elementary and middle school students, and indicators of improvement since 2018 for each school. The survey, which was taken by students, grades 5 through

11, and educators in every school, provides information about safety, community, environment, and relationships, all of which are important factors in supporting a positive learning environment for all students. There is also detailed information about the performance of student groups since schools are accountable for serving all learners. The Maryland School Report Card is designed to help families, educators, policymakers, and the public gain a better understanding of how each school is faring on ESSA accountability measures, as part of a larger conversation about the success of our education system. The Equity Accountability Model designed as part of the All In: Equity and Achievement Framework is in alignment with state data collection models in assessing the districts

[Individual Student Achievement Measures](#)

In addition to a focus on multiple measures that are reported in the Evidence of Learning and Equity Accountability Model dashboards, Montgomery County Public Schools also reports on individual measures that influence student outcomes and perceptions of school impact. Some of these measures support data-driven decision making, school improvement, and academic achievement. Additionally, the measures allow for monitoring student success toward College and Career readiness.

[Parent Engagement and Staff Climate Survey](#)

MCPS surveys are important sources of information about the perceptions of the school learning environment. These findings can be used to monitor continuous improvement efforts and inform school improvement goals. Interpretation of this information should take into consideration the number (N) and percentage of survey respondents. Survey data best represent perceptions of the school environment when response rates are high. This data can be looked at from the lens of individual schools and across the district as a whole. It can be analyzed for one year or for patterns and trends in multiple years.

[School Safety and Security at a Glance](#)

The 2019–2020 School Safety and Security at a Glance document has an anticipated release date of October 2020; however, the 2018-2019 school year data is available as well as previous years dating back to 2008. *MCPS School Safety and Security at a Glance* provides, in a single document, information about the reporting of incidents related to school safety and security, school climate, local school safety program descriptions, and serious incidents. Information is presented for each school. While much of this information is available in various documents produced throughout the year, *MCPS School Safety and Security at a Glance* provides this information for stakeholders in a single comprehensive report with a user-friendly format.

[Workforce Data](#)

This document outlines the demographic data of our administrative, support, and teaching staff within MCPS broken down by race, gender, and years of experience.

[Human Capital Management: Reimagining Human Resources](#)

Montgomery County Public Schools' Office of Human Resources and Development is committed to Attracting, Recruiting, Developing, Recognizing, and Retaining a high-quality, diverse workforce to maximize organizational excellence designed to meet the needs of all students. There are four key bodies of work to dissect, identify areas of growth, and make recommendations for change to align with district

needs and close gaps in opportunity and achievement for all students, specifically those in the targeted focus groups: (1) Talent Acquisition and Recruitment (2) Onboarding and Induction (3) Talent Development (4) Employee Retention. The attached presentation is from the July 14, 2020 Board of Education meeting outlining the changes proposed in the Office of Human Resources and Development to actualize their vision.

[Study of Teacher Workforce \(part 1\)](#)

This study, conducted by the Office of Shared Accountability (OSA) in MCPS, aims to describe the characteristics of the teaching staff in MCPS, as well as to examine differences across levels and types of schools. The analysis is mainly descriptive and intends ultimately to inform policies and practices that will support successful teacher staffing in the district. The Employee and Retiree Service Center (ERSC) and the Office of Human Resources and Development (OHRD) provided MCPS teacher data, and other reliable sources were consulted to compare district findings with state and national trends.

[Study of Teacher Workforce \(part 2\)](#)

This report focuses on teacher turnover in MCPS among two groups: (1) Teachers who left MCPS due to resignation or termination (teacher attrition) and (2) elementary teachers who transferred or moved to other schools within MCPS (elementary teacher mobility). The ultimate goal of this report is to inform policies and practices that will support successful teacher staffing in MCPS.

[School Principal's Study](#)

The goal of this study is to: (1) provide an overview of the characteristics of 2018–2019 MCPS school principals at each school level (elementary, middle, and high school); (2) examine the factors associated with principals leaving their positions; (3) explore the turnover of school principals in the last nine years in MCPS and its relationship with specified school factors; and (4) investigate if there is a relationship among specific school factors and principal tenure (new or veteran).

[ACA Policy: Nondiscrimination, Equity, and Cultural Proficiency](#)

The purpose of the ACA policy is to assert the Board of Education's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics, and that equity demands intensive focus and attention to eliminate all gaps in student achievement.

Professional Growth Systems

The Professional Growth System is to ensure that MCPS has an effective learning community for students and adults in schools. It requires highly skilled administrators, teachers, support staff and others working together to ensure the achievement of all students.

[Administrative and Supervisory Professional Growth System](#)

[Teacher-Level Professional Growth System](#)

[Supporting Services Professional Growth System](#)

Cultural Proficiency Survey

As part of the system-wide training on cultural proficiency school staff participated in a survey to identify their cultural proficiency.

[All Schools](#)

3.2 Requirements:

- Utilize the stakeholder engagement feedback to frame interactions with staff, students, and community members.
- Utilize current system data to frame questions and create a data collection process around areas of the Anti-racism Framework.
- Examine data through a research based racial equity lens.
- Lead and facilitate a commission of multiple stakeholders to solicit and report their voice data to share their experiences related to access, opportunities, and interactions with others and the impact on their academic or professional and social emotional well-being to identify the systemic barriers.
- Collect quantitative and qualitative data to determine practices, policies, procedures, and lived experiences that create barriers to access, opportunities, and wellbeing.
- Synthesize the data sources to determine patterns and trends to identify the systemic barriers, and prioritize them to make short-term and long-term recommendations to address all 6 focus areas.

4.0 CONTRACT TERM

The initial term of contract shall be for one year as stipulated on the RFP. However, the contract may not begin until one day after approval by the Montgomery County Board of Education and will conclude as stated under the contract term. MCPS reserves the right to extend this contract at existing prices, terms, and conditions for up to three additional terms for one (1) year each. Written notice indicating MCPS' intention to pursue the extension of the contract will be issued to the successful vendor 90 days prior to the expiration of the original contract. The vendor shall have ten (10) days from the date of notification to return the notice acknowledging its intent to accept or reject the extension.

Once all responses are evaluated, MCPS staff may make a recommendation to the Board to extend the contract or decide to rebid. If the contract is extended by the Board, a contract amendment will be issued.

5.0 CONTRACT TERMINATION

MCPS reserves the right to cancel the contract in whole or in part at any time in accordance with Article 12, MCPS General Contract Articles. MCPS also reserves the right to cancel the contract with a specific offer or for failure to comply or failure to fulfill the terms of this contract in accordance with Article 13.

6.0 REFERENCES

All offerors shall include a list of a minimum of five references who use the vendor services who can attest to their quality of work and, if possible, shall include school districts of comparable size to MCPS that have utilized the respondents’ services. Include names of client, contact person, email address, and phone number of all references. Also, as an attachment, offerors shall include a list of all current school district clients.

References may or may not be reviewed or contacted at the discretion of MCPS. Typically, only references of the top ranked short-listed offerors are contacted. MCPS reserves the right to contact references other than, and/or in addition to, those furnished by an offeror.

<u>Company Name & Address</u>	<u>Contact Person</u>	<u>Phone Number</u>
1. _____		
Email _____		
2. _____		
Email _____		
3. _____		
Email _____		
4. _____		
Email _____		
5. _____		
Email _____		

7.0 FORMAT OF RESPONSE

- 7.1 Response to this RFP shall be submitted in the same order as the RFP and provide an individual response to each RFP specification.
- 7.2 Contractors shall include any and all statements and representations made within its proposal in the contract for services with MCPS. This includes, but is not limited to, the vendor’s point-by-point response to this RFP. If the vendor responds only “Understand and comply,” it is assumed that the vendor complies with MCPS’ understanding of the requirement.
- 7.3 MCPS shall not be responsible nor be liable for any costs incurred by the vendor in the preparation and submission of their proposals and pricing.

7.4 A pricing proposal shall be submitted as a separate document outlining content, timeline for implementation, training, professional development, etc.

8.0 MANDATORY SUBMISSIONS

Each offeror must submit a complete proposal including all required information and attachments. The response shall address each paragraph in the same order as the RFP and provide an individual response to each RFP specification. All proposals must be presented using the same numbering sequence and order used in this RFP document or as otherwise specified by MCPS. Offerors may request via e-mail to Mrs. Angela McIntosh-Davis, Team Leader, MCPS Procurement Unit at Angela_S_McIntosh-Davis@mcpsmd.org, a Microsoft Word version to help them in preparing the response.

One (1) original and three (3) copies, as well as one (1) electronic version on CD or flash drive, and one (1) redacted version of responses must be sent by mail, courier, or hand-delivery and shall be in binders with tabs identifying each section. A table of contents should be included and all pages numbered as referenced in the Table of Contents. CD or flash drive must include a copy of the original and redacted responses. No faxes or electronic submission of proposals will be accepted. Proposals are to be received no later than 2:00 p.m. on October 12, 2020. Submit responses of the entire RFP proposal to:

Montgomery County Public Schools
Procurement Unit
45 West Gude Drive, Suite 3100
Rockville, MD 20850

Submissions will become the property of MCPS.

The proposal must be signed by an official having authority to contract with MCPS. The firm and the official's name shall be used in the contract process. MCPS reserves the right to make an award without further discussion of the proposals received. MCPS also may negotiate with the one offeror who submits the best proposal or with two or more offerors who are in the competitive range. Therefore, it is important that the offeror's proposal be submitted initially on the most favorable terms from both the technical and cost standpoints. After the submission and closure of proposals, no information will be released until after the award. It is understood that the offeror's proposal will become a part of the official file on this matter without obligation to MCPS.

The proposal must be complete and comply with all aspects of these specifications. Marketing or promotional verbiage will likely overshadow the offeror's qualifications and expertise. MCPS urges the offeror to be specific and brief in their responses.

Offeror's must include any and all statements and representations made within its proposal in the contract for services with MCPS unless otherwise agreed upon by MCPS and offeror during negotiations. This includes, but is not limited to, the vendor's point-by-point response to this RFP. If

the offeror answers only “Understand and comply,” it is assumed that the offeror complies with MCPS’ understanding of the requirement.

MCPS shall not be responsible or liable for any costs incurred by the offeror in the preparation and submission of their proposals and pricing.

Complete Response must include:

- Point-by-point Response to each section of the RFP
- Pricing Proposal: Outline the cost to conduct this audit with a breakdown of charges as applicable.
- References, See 6.0 References
- List of all current school district clients, See 6.0 References
- Vendor’s annual fiscal report in order to demonstrate the vendor’s financial stability (If desired, the vendor also may include any other financial documents that Vendor wishes to include regarding Vendor’s financial condition. This documentation is not mandatory.).
- Equal Opportunities Certification (Attachment A)
- Certification of Non-segregated Facilities (Attachment B)
- Minority Business Enterprise (Attachment C)
- Non-Debarment Acknowledgement (Attachment D)
- Mid-Atlantic Purchasing Team Rider Clause (Attachment E)
- Current Form W-9
- A list of any variances from or objections to the terms and conditions of the MCPS General Contracting Articles, as well as a justification for any such variances or objections.
- Any additional information and comments your firm deems necessary to clearly communicate your firm’s qualifications and the process you would use to conduct an audit as specified in the Scope of Services.
- A redacted copy of the offeror's proposal as specified in Sections 9.0 and 10.0.

8.1 Deliverables

The required deliverables for proposals include:

- a. Evidence of effectiveness of the proposed program/services in similar districts or other education settings as outlined in Section 3.0 Scope of Services. Included here must be recent references that can speak to the effectiveness of the program (see more details in Section 6.0).
- b. Detailed plan to comply with data sharing requirements from MCPS (see Article 18 of the MCPS General Contract Articles) as well as state and local requirements for administration of the program/services.

MCPS reserves the right to engage the External Consultant(s) in providing future consultation and follow up regarding the MCPS curriculum.

It is the intention to award to the most favorable respondent(s) based on the evaluation criteria in Section 11.0. However, the Board reserves the right to make awards according to the best interest of

MCPS. This request for proposals may result in multiple awards for different components of the scope of services.

In determining the qualifications of an offeror, MCPS will consider the offeror's record and performance of any prior contracts with MCPS, federal departments or agencies, or other public bodies, including but not limited to the offeror's record providing such detailed programs/services as described in Section 3.0 to MCPS or other schools or school districts. MCPS expressly reserves the right to reject the proposal of any offeror if the investigation discloses that the offeror, in the opinion of MCPS, has not properly performed such prior contracts or has habitually and without just cause neglected the payment of bills or has otherwise disregarded its obligations to subcontractors or employees.

MCPS may conduct any necessary investigation to determine the ability of the offeror to perform the work, and the offeror shall furnish to MCPS all such information and data requested, such as information about its reputation, past performance, business and financial capability, and other factors that demonstrate that the provider is capable of satisfying MCPS' needs and requirements for a specific contract. MCPS reserves the right to reject any proposal if the evidence submitted by the offeror or investigation of such offeror fails to satisfy MCPS that such offeror is properly qualified to carry out the obligations of the contract and to complete all requirements contemplated therein. Consideration will be given to any previous performance with MCPS as to the quality and the acceptability of bidder's services.

All offerors submitting a proposal shall include evidence that they maintain a permanent place of business. Copies of any appropriate licenses necessary to perform this work shall be submitted with each proposal. Offerors also shall demonstrate that they have adequate staff to perform the required services. Use of subcontractor(s) and/or third-party providers, if any, must be specifically identified within the proposal. Subcontractor and/or third-party provider roles shall be clearly expressed. MCPS reserves the right to accept or reject use of a proposed subcontractor(s) and/or third-party provider(s).

MCPS reserves the right to add or delete vendors, as needed, should our requirements change during the contract term.

9.0 TREATMENT OF TECHNICAL DATA IN PROPOSAL

The proposal submitted in response to this request may contain technical data which the offeror does not want used or disclosed for any purpose other than evaluation of the proposal. The use and disclosure of any such technical data, subject to the provisions of the Maryland Public Information Act, may be so restricted:

Provided, that the offeror marks the cover sheet of the proposal with the following legend, specifying the pages of the proposal which are to be restricted in accordance with the conditions of the legend: "Technical data contained in pages ___ of this proposal shall not be used or disclosed, except for evaluation purposes."

Provided, that if a contract is awarded to this offeror as a result of or in connection with the submission of this proposal, MCPS shall have the right to use or disclose these technical data to the extent provided in the contract.

This restriction does not limit the right of MCPS to use or disclose technical data obtained from another source without restriction.

MCPS assumes no liability for disclosure or use of unmarked technical data or products and may use or disclose the data for any purpose and may consider that the proposal was not submitted in confidence and therefore is releasable. Price and cost data concerning salaries, overhead, and general and administrative expenses are considered proprietary information and will not be disclosed, if marked in accordance with the instructions in Section 11.0.

10.0 PROPRIETARY AND CONFIDENTIAL INFORMATION

Offerors are notified that MCPS has unlimited data rights regarding proposals submitted in response to this solicitation. Unlimited data rights means that MCPS has the right to use, disclose, reproduce, prepare derivative works, distribute copies to the public, or perform publicly and display publicly any information submitted by the offeror in response to this or any solicitation issued by MCPS. However, MCPS will exempt information that is confidential commercial or financial information of an offeror, as defined by the Maryland Public Information Act, State Government Article, Section 10-617, from disclosure. It is the responsibility of the offeror to clearly identify each part of its proposal that is confidential commercial or financial information by stamping the **bottom right-hand corner** of each pertinent page with one-inch bold face letters stating the words “**confidential**” or “**proprietary**.” The offeror agrees that any portion of the proposal that is not stamped as proprietary or confidential is not proprietary or confidential. As a condition for MCPS keeping the information confidential, the offeror must agree to defend and hold MCPS harmless if any information is inadvertently released. Each offeror must submit a proprietary and confidential redacted copy of its proposal to be used in responding to MPIA requests.

11.0 EVALUATION CRITERIA

MCPS reserves the right to ask clarifying questions about submitted proposals. Offerors also may ask questions that they may have related to this RFP prior to submitting their responses. See Section 12.0, Schedule of Events. Only proposals received by the deadline will be considered. Proposals will be screened down to a number of finalists.

MCPS reserves the right to convene a meeting with the top qualified offerors prior to awarding a contract. The purpose of the meeting will be to afford both parties an opportunity to discuss any aspects of the requirements and services that will be performed and clarify any issues. Issues raised during the meeting, which cannot be resolved to the satisfaction of MCPS, shall be cause to reject the proposal.

All offerors are advised that in the event of receipt of an adequate number of proposals, which, in the opinion of MCPS require no clarification and/or supplementary information, such proposals may be evaluated without further discussions. Therefore, proposals should be submitted initially on the most complete and favorable terms and conditions. Should proposals submitted require additional clarification and/or supplementary information, offerors should be prepared to submit such additional clarification and/or supplementary information, in a timely manner, when requested.

Proposals meeting all requisite criteria will be evaluated. Those who do not meet requisite criteria will not be evaluated further.

The determination of those that are qualified, interested, and available, and MCPS' choice of the best qualified will be based on the following criteria:

- a. The offeror's proposed approach to the review, including all responses to the instructions set forth in Section 3.0, and how it meets MCPS' needs.
- b. Qualifications, reputation, and experience of the External Consultant(s) relevant to the Scope of Services including evidence of work with large and diverse districts with experience grounded in research-based on equity.
- c. Offeror's plan for both virtual and face-to-face interactions.
- d. Evidence that MCPS data was used to design the plan.
- e. Qualifications, reputation, and experience of the lead reviewer and principal employees that will be responsible for this audit and evidence of the impact of their work.
- f. Past performance as determined by recent and relevant contracts. Evaluation will be based on information obtained from references provided by the offeror as well as other relevant past performance information obtained from other sources known to MCPS.
- g. Pricing proposal/fee structure.

A selection committee composed of MCPS staff and potentially outside stakeholders will evaluate proposals based on these criteria.

12.0 SCHEDULE OF EVENTS

The anticipated schedule of activities related to this RFP is as follows:

RFP issued:	September 21, 2020
Questions Due:	September 29, 2020 by 4:00pm
Q&A Posted:	October 2, 2020
Proposals Due:	October 12, 2020 at 2:00pm
Anticipated award date:	October 28, 2020

All dates are subject to change at the discretion of MCPS.

14.0 ADDENDA/ERRATA

Changes and addenda to a solicitation may occur prior to the solicitation opening date and time. It is the offeror's responsibility to check the MCPS website under "Event Calendar"

<https://www.montgomeryschoolsmd.org/calendar/mcpsbids.aspx> or contact the Procurement Unit at 301-279-3555 to verify whether addenda/errata have been issued.

In the event that MCPS issues addenda/errata, all terms and conditions will remain in effect unless they are specifically and explicitly changed by the addenda/errata. Offerors must acknowledge receipt of such addenda/errata by returning one signed copy of each of the addenda/errata with its proposal. Failure to provide the signed acknowledgement of the addenda/errata may result in a bid being deemed non-responsive.

15.0 eMARYLAND MARKETPLACE ADVANTAGE (EMMA)

Maryland law requires local and state agencies to post solicitations on EMMA. Registration with EMMA is free. It is recommended that any interested supplier register at <https://procurement.maryland.gov/>, regardless of the award outcome for this procurement as it is a valuable resource for upcoming bid notifications for municipalities throughout Maryland.

16.0 MULTI-AGENCY PARTICIPATION

MCPS reserves the right to extend the terms and conditions of this solicitation to any and all other agencies within the state of Maryland as well as any other federal, state, municipal, county, or local governmental agency under the jurisdiction of the United States and its territories. This shall include but not be limited to private schools, parochial schools, nonpublic schools such as charter schools, special districts, intermediate units, nonprofit agencies providing services on behalf of government, and/or state, community, and/or private colleges/universities that require these goods, commodities, and/or services. Use of this solicitation by other agencies may be dependent on special local/state requirements attached to and made a part of the solicitation at the time of contracting. The supplier/contractor agrees to notify the issuing agency of those entities that wish to use any contract resulting from this bid and will also provide usage information, which may be requested. A copy of the contract pricing and the bid requirements incorporated in this contract will be supplied to requesting agencies. Each participating jurisdiction or agency shall enter into its own contract with the Award offeror(s) and this contract shall be binding only upon the **principal's signing** such an agreement. Invoices shall be submitted "directly" to the ordering jurisdiction for each unit purchased. Disputes over the execution of any contract shall be the responsibility of the participating jurisdiction or agency that entered into that contract. Disputes must be resolved solely between the participating agency and the Award offeror. MCPS assumes no authority, liability, or obligation on behalf of any other public or nonpublic entity that may use any contract resulting from this bid. MCPS pricing is based on the specifications provided in this solicitation.

17.0 INQUIRIES

Inquiries regarding this solicitation must be submitted in writing to Mrs. Angela McIntosh-Davis, Team Leader, MCPS Procurement Unit, 45 W. Gude Drive, Suite 3100, Rockville, MD 20850, via fax at 301-279-3173 or email to Angela_S_McIntosh-Davis@mcpsmd.org. Questions are due at 4:00 p.m. on September 29, 2020. Responses will be posted on EMMA and on MCPS' Procurement website on October 2, 2020. The Board will not be responsible for any oral or telephone explanation or interpretation by any agent or employee of MCPS. Any binding information given to an offeror in response to a request will be furnished to all offerors as addenda/errata, if such information is deemed

necessary for the preparation of proposals, or if the lack of such information would be detrimental to the uninformed offerors. Only such addenda/errata, when issued by MCPS, will be considered binding on MCPS.

Contact by offerors with any other MCPS employee regarding this solicitation until the contract is awarded by MCPS will be considered by MCPS as an attempt to obtain an unfair advantage and result in non-consideration of its RFP response. The MCPS Procurement website address is www.montgomeryschoolsmd.org/departments/procurement/.

18.0 UNNECESSARILY ELABORATE BROCHURES

Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective proposal are not desired and may be construed as an indication of the offeror's lack of cost consciousness. Elaborate art work and expensive visual and other presentation aids are neither necessary nor wanted.

19.0 BID PROTESTS

Any bid protests, including appeals, will be governed by the applicable MCPS Procurement Unit Regulations. The burden of production of all relevant evidence, data and documents and the burden of persuasion to support the protest is on the offeror making the protest.

20.0 CONTRACT

MCPS plans to enter a contractual agreement with Respondent(s) to whom the award is made and intends to make MCPS General Contract Articles, attached hereto and incorporated herein as Appendix A, part of the contractual agreement, except and unless modified by MCPS. In addition, the Contractor will ensure that all private duty nurses abide by the provisions of the MCPS General Contract Articles. Proposals must clearly identify any variances from or objections to the specifications in this RFP and the terms and conditions of the MCPS General Contract Articles. Lacking any response to the contrary, MCPS will infer that the Respondent agrees to the specifications of this RFP and each term and condition of the MCPS General Contract Articles. Respondents should note that any variance may provide a basis for MCPS to reject the proposal. **In particular, the provisions set forth in Articles 5-6, 12-18, 21-22, and 26 of the MCPS General Contract Articles are non-negotiable.**

21.0 NOTICE TO BIDDERS

The appropriate items below must be completed as part of the RFP. Failure to comply may disqualify your bid. Type or print legibly in ink.

I. BIDDER INFORMATION: As appropriate, check and/or complete one of the items below.

1. Legal name (as shown on your income tax return) _____

2. Business Name (if different from above) _____

3. Tax Identification Number _____

A copy of your W-9 must be submitted with this bid response.

II. BIDDER'S CONTACT INFORMATION: This will be filed as your permanent contact information.

Company Name _____

Address _____

Bid Representative's Name _____

Phone Number/Extension _____

Fax Number _____

Toll Free Number _____

Email Address _____

Website _____

II. VENDOR'S CERTIFICATION: Upon notification of award, this document in its entirety is the awarded vendor's contract with MCPS. By signing below, the undersigned acknowledges that he/she is entering into a contract with MCPS.

- A. The undersigned proposes to furnish and deliver supplies, equipment, or services, in accordance with specifications and stipulations contained herein, and at the prices quoted. This certifies that this bid is made without any previous understanding, agreement, or connection with any person, firm, or corporation making a bid for the same supplies, materials, or equipment, and is in all respects fair and without collusion or fraud.

- B. I hereby certify that I am authorized to sign for the bidder and that all statements, representations, and information provided in this response to the Request for Proposals, including but not limited to the Non-Debarment Acknowledgement, are accurate.

By (Signature) _____

Name and Title _____

Witness Name and Title _____