

December 19, 2023

RFP Number: 4970.2
Due Date: January 12, 2024
Open Time: 2:00 p.m.

To: Prospective Respondents:

The purpose of this Request for Proposal (RFP) is to solicit one or more established providers of elementary curricula to provide Montgomery County Public Schools (MCPS) with evidence-based, researched, and reviewed curricular and instructional materials in English Language Arts (ELA) that are aligned with the Common Core State Standards, adopted in Maryland as the Maryland College and Career Ready Standards (the "State Standards") from Early Childhood through Grade 5. This RFP seeks curriculum providers ("Respondents" or "Offerors") who share a vision for ensuring that all students have access to the highest quality instructional resources aligned to State Standards, the Science of Reading research and evidence-based practices, to ultimately increase student achievement and ensure success in college, careers, and community participation.

A virtual Pre-Proposal Conference for prospective contractors will be held on January 5, 2024 from 1:00 p.m.–2:00 p.m., using Zoom. Please see Section 13.0 for the Zoom meeting information. Questions regarding the RFP must be submitted by 4:00 p.m. on December 28, 2023.

Please respond according to the instructions provided in the attached. Submissions must be received on or before 2:00 p.m., on January 12, 2024. Submissions received after this date and time will not be considered.

The contractor must submit their offer per the instructions under the RFP, Section 8.0 Mandatory Submissions. 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, Director
Division of Procurement

AMD
Enclosure

Office of Finance
MONTGOMERY COUNTY PUBLIC SCHOOLS
Division of Procurement
45 West Gude Drive, Suite 3100
Rockville, Maryland 20850

Request for Proposal No. 4970.2
English Language Arts Curricular and Instructional Materials
for Elementary Schools

1.0 INTENT

The purpose of this Request for Proposal (RFP) is to solicit one or more established providers of elementary curricula to provide Montgomery County Public Schools (MCPS) with evidence-based, researched, and reviewed curricular and instructional materials in English Language Arts (ELA) that are aligned with the Common Core State Standards, adopted in Maryland as the Maryland College and Career Ready Standards (the “State Standards”) from Early Childhood through Grade 5. This RFP seeks curriculum providers (“Respondents” or “Offerors”) who share a vision for ensuring that all students have access to the highest quality instructional resources aligned to State Standards, the Science of Reading research and evidence-based practices, to ultimately increase student achievement and ensure success in college, careers, and community participation.

MCPS seeks comprehensive ELA curriculum that provides current, evidence-based, research-based, relevant, and appropriate materials that will effectively support teaching and learning of all learners in all classrooms in Early Childhood through Grade 5. MCPS seeks curricular materials and approaches that are culturally and linguistically responsive and diverse, builds knowledge, and explicitly support Multilingual Learners, students receiving special education services, and students in need of additional intervention; allow for enrichment and provide easy-to-understand resources for parents/guardians. Digital tools and formative assessments in the hands of teachers must allow for differentiated instruction and timely support to students, including accessibility features.

2.0 BACKGROUND

Montgomery County Public Schools (MCPS) is the 14th largest school system in the United States, and the largest in the state of Maryland. During the 2024–2025 school year, it is projected that MCPS will serve more than 160,000 students from 157 countries speaking 150 languages. With a Fiscal Year (FY25) 2025 Operating Budget of approximately \$3.2 billion, MCPS employs more than 23,300 employees.

The development, implementation, and management of MCPS curriculum in ELA is guided by the Montgomery County Board of Education Policy IFA, *Curriculum* (“IFA”), MCPS Regulation IFA-RA, *Curriculum* (“IFA-RA”) and Curriculum Frameworks adopted by the Board of Education (the “Board”).

3.0 SCOPE OF SERVICES

The following list of requirements, although extensive, is not exhaustive and is intended to provide interested Respondents with sufficient basic information to submit proposals meeting minimum requirements, but is not intended to limit a proposal’s content or exclude any relevant or essential information. Proposals should address the entire scope of services requested.

In this RFP, Curricular and Instructional Materials are defined to be the comprehensive curricula and materials needed for the total instructional experience for all diploma-bound learners in every classroom,

aligned to the State Standards, and adaptable to meet the needs of students with disabilities pursuing alternate learning outcomes aligned to Maryland's Alternate Achievement Standards. Materials should utilize current evidence-based and research-based practices; align to State Standards in preparation for increased achievement on Maryland Comprehensive Assessment Program (MCAP) and other measures of college and career readiness; and provide explicit instruction of key shifts in daily lesson materials as outlined by the State Standards;

Proposals must comply with the following requirements as written in Board Policy IFA:

- The Board expects that learning will be enhanced by adherence to a curriculum that promotes continuity from grade to grade and from school to school through a systematic and cumulative approach to the acquisition and application of skills and knowledge. The curriculum should reflect the best knowledge of the growth and development of learners, the needs of learners, and the desires of the community, state law, and state board of education rules;
- The focus of the curriculum shall promote: (1) An opportunity for every student to participate, (2) Achievement at the highest level in every curricular area for every student, and (3) Objectives derived from local, state, national, and international standards as appropriate in all subject areas;
- The curriculum shall provide teachers, students, and parents/guardians with the Board's expectations of what students should know and be able to do at the end of each grade level and course;
- Subject area written curriculum frameworks, scopes and sequences, expectations, curriculum guides, and material for parents/guardians shall be developed for every grade level;
- Instructional resources such as textbooks, software, electronic resources, and other materials shall be selected based upon their alignment with the curriculum standards and priorities of the system using a uniform process.

Proposals must indicate how the Respondent's Curricular and Instructional Materials are responsive to the MCPS elementary English Language Arts framework described in Section 2.0. In the event the Respondent's Curricular and Instructional Materials do not fully align with the respective MCPS curriculum framework, the Respondent must clearly identify these areas. In the event that selected Curricular and Instructional Materials require any changes to an MCPS curriculum framework, such changes will require approval by the Board. Approval of the revised curriculum framework will be required prior to the implementation of the selected Curricular and Instructional Materials in all schools and the continuation of the contract.

Respondents may submit responses for either a comprehensive ELA curriculum or by knowledge building and foundational skills. Respondents may submit responses for all grade levels or for specific grade bands in ELA:

- Early Childhood Programs
- Kindergarten through Grade 5

Each proposal is not required to contain only one unique product, which is defined as a distinct program or curricula of instructional materials, assessments, and teacher resources in a grade band or grade bands. Single responses that contain multiple products, programs, or options therein are acceptable. Respondents who publish multiple products or programs should submit separate proposals for each product or program. Single distinct products that cross-over multiple grade bands can be submitted in a single proposal, but must be aligned with the grade bands above and be clearly labeled and organized as such. See Section 8.0 Mandatory Submissions for numbers of copies and other proposal submission requirements.

MCPS reserves the right to award contracts for multiple products or outside of the bands listed above if applicable.

For additional requirements for the submission of the proposal and sample materials, see section 3.6 Sample Materials Delivery Process and Section 8.0 Mandatory Submissions below.

3.1 REQUIREMENTS

As **requirements**, the curricula and materials for ELA must:

1. Have a comprehensive, independent external evaluation. MCPS strongly prefers evaluations conducted by EdReports (www.edreports.org), an independent nonprofit designed to improve K–12 education that offers reviews of K–12 instructional materials that focus on alignment to college and career-ready standards and other indicators of high quality as recommended by educators. MCPS reserves the right to consider other external independent evaluations comparable to EdReports, but such independent evaluations must be robust and comparable in scale, depth, and methodology.
2. Include culturally relative materials that are inclusive of a variety of cultures and ethnicities, and are free from bias in the portrayal of ethnic groups, gender, age, cultures, religion, and people differently labeled.
3. Include culturally and linguistically responsive teaching and instructional practices that are inclusive of a variety of cultures and ethnicities, and are free from bias in portrayal of ethnic groups, gender, age, cultures, religion, and people differently labeled.
4. Be rooted in and responsive to the Science of Reading research, explicitly addressing all components essential to the reading process; phonemic awareness, decoding, sight word recognition, background knowledge, vocabulary, literacy knowledge, verbal reasoning and language structure, morphology and fluency (accuracy, rate, expression).
 - a. Include close reading lessons and integrate challenging text specific questions that support students’ deep analysis through evidence-based writing and discussion.
5. Clearly designed for building knowledge systematically and cumulatively.
6. Be rooted in and responsive to the Science of Reading research, explicitly instructing and assessing all components essential to writing; handwriting, spelling, sentence structure, text structure, organization, word choice, idea generation, editing, revising and publication of argument, informative/explanatory and narrative pieces.
7. Include curricular and instructional materials that include a distribution of literary and informational texts supported by research.
8. Include curricular and Instructional materials that include high quality, authentic anchor texts that span a variety of genres and structures.
9. Include curricular and Instructional materials designed for whole-group, small-group, and individual instruction that promotes student responsibility and independence.
10. Include high quality texts to be used for daily read aloud lessons as part of reading and writing instruction.
11. Scaffolding suggestions for students entering the curriculum at later grades.
12. Include evidenced-based and tiered interventions for students not meeting or achieving grade level learning standards, supplemental to core curricula.
13. Includes resources that support the teaching and learning of students needing enrichment.
14. Integrate explicit instruction and resources to support the teaching and learning of Multilingual Learners.
15. Include explicit instruction and resources that support the teaching and learning of students receiving special educational services and are adaptable to meet the needs of students who are

- blind or visually impaired, deaf or hard of hearing and students with significant cognitive disabilities.
16. Include curricular and instructional materials that consider the time, resources, and instructional scaffolding required for all students to meet grade level standards (e.g., alternative teaching approaches, pacing, instructional delivery options, suggestions for addressing common student difficulties, remediation strategies).
 17. Include a suite of accessible formative and summative assessment materials, available digitally, aligned to curriculum and intended to inform and improve instruction, not intended to replace other standards-based external assessments administered in MCPS.
 18. Include tools, resources, and digitally available documents that provide transparency into the curriculum and to provide support to academic progress at home or outside the school setting in multiple languages, Spanish required. Preferred languages also include: Chinese, Amharic, Korean, French, Vietnamese, and Portuguese.
 19. Provide accessible, digitally available student-facing and teacher-facing materials and resources.
 20. Include digital and hard bound print formats.
 21. Embed principles of Universal Design for Learning (UDL).
 22. Include additional materials for an extended school year of instruction for academic summer programs.
 23. Include Lexile® Framework measures for Reading/English with Lexile measures (i) reportable at the student and classroom levels; and (ii) available to parents/guardians, current grade-level teacher, and next grade-level teacher (Respondents should submit Lexile instructional resource (text) measures regarding reading comprehension levels of Instructional Materials as part of the response.
 24. Include assessments, available digitally, that regularly and systematically offer assessment opportunities that are interactive and engaging and measure progress on foundational skills, reading comprehension and analysis as well as writing skills using materials and experiences outlined above (digital assessments must be compatible with the MCPS data management system as described in section 3.5).

MCPS reserves the right to reject products that:

- Do not meet expectations for Text Quality and Complexity and Alignment to the Standards with Tasks and Questions Grounded in Evidence, Building Knowledge with Texts, Vocabulary, and Tasks and Usability as noted on EdReports;
- Do not meet expectations for culturally and linguistically responsive, meaningful, and affirming text;
- Do not meet the expectations for the explicit, comprehensive and systematic approach to foundational skills instruction;
- Include guided reading lessons and assessments anchored in leveled text;
- Include running records with MSV error analysis;
- Include Three Cueing instruction;
- Has a broad thematic approach to content that lacks depth;
- Is organized around isolated comprehension skills, strategies or standards rather than content;
- Follow a traditional Readers/Writers workshop model;
- Include writing assignments that are disconnected from content and language instruction; and
- Do not provide explicit scaffolds and modifications for multilingual learners and students receiving special education services.

Preferred: MCPS Prefers comprehensive curriculum for ELA content that meets the following criteria:

- a) Includes student facing materials to support English language development for newcomers
- b) Includes student facing materials in Spanish or French

3.2 Additional Requirements for ELA Curriculum, Early Childhood

Curriculum materials will be considered for a high degree of usability for teachers. These criteria include:

- 3.2.1 Curricular and Instructional materials include lessons focused on phonological awareness, vocabulary, oral language development, the alphabetic principle, and print knowledge and concepts.
- 3.2.2 Explicit instruction in pre-writing skills and fine motor development.

3.3 Additional Requirements for ELA Curriculum, Kindergarten Through Grade 3

Curriculum materials will be considered for a high degree of usability for teachers. These criteria include:

- 3.3.1 Curricular and Instructional materials include up to 120 minutes of daily instruction for all aspects of reading and writing instruction.
- 3.3.2 Curricular and Instructional materials include must include resources and assessments that measure foundational skills.
- 3.3.3 Curricular and Instructional materials include decodable text that supports the systematic phonics scope and sequence (Kindergarten to Grade 2 only)

3.4 Additional Requirements for ELA Curriculum, Grade 4 Through Grade 5

Curriculum materials will be considered for a high degree of usability for teachers. These criteria include:

- 3.4.1 Curricular and Instructional materials include a range of 90-120 minutes of daily instruction for all aspects of reading and writing instruction.
- 3.4.2 Curricular and Instructional Materials include at least 80 percent of tasks and questions that are text dependent which elicit sustained attention to the specifics of the text.

Curriculum Organizational and Usability requirement for ELA

Curriculum materials will be considered for a high degree of usability for teachers. These criteria include:

- Provide an estimate of hours of weekly planning time required to implement quality instruction.
- Curricular and Instructional Materials are organized in a systematic way that is comprehensive and clear.
- Curricular and Instructional Materials (in general editable forms like Microsoft Word or Google Docs) include materials that teachers may edit, adapt, or enrich them accordingly.
- Curricular and Instructional Materials are adapted for students with disabilities, including but not limited to: (i) blind and visually impaired student; (ii) deaf and hard of hearing students; and (iii) students with significant cognitive disabilities.

3.5 Technical Requirements

The Respondent's proposal shall identify and describe:

1. Applicable technical requirements and recommended configurations necessary to fully implement and utilize the digital or online Curricular and Instructional Materials including but not exclusive to:
 - a. Hardware requirements;
 - b. Operating system requirements;
 - c. Software requirements;
 - d. Browser-specific requirements;
 - e. Network and security requirements;
 - f. Licensing models; or
 - g. Copyright and fair use guidelines.
 2. Processes and provisions regarding the automated bulk/districtwide exchange of data between the Respondent and MCPS student information and assessment systems.
 3. Processes and provisions regarding the handling, use, storage, and retention of MCPS data and information to ensure the privacy of staff, students, and parents/guardians, consistent with the MCPS General Contract Articles and elsewhere in this RFP.
 4. Processes and provisions to provide ongoing technical support to staff, students, and parents/guardians.
 5. Examples of similarly completed projects, or projects in progress, that demonstrate the Respondent's expertise and capabilities in each of the above-listed areas. Examples might include, for example, detailed descriptions supported by screenshots, references, websites or apps for MCPS review.
- 3.5.1 **Required:** Curriculum for ELA also must meet the following technical requirements for digital or online components in order to be considered:
1. Curricular and Instructional Materials including associated data are available and accessible 24 hours a day, 7 days a week for MCPS staff, students, and parents/guardians as applicable.
 2. Curricular and Instructional Materials in digital or online formats are accessible from any Internet-enabled device including but not exclusive to personal computers, laptop computers, Chromebooks, tablets, and smartphones.
 3. Curricular and Instructional Materials in digital or online formats support single sign-on (SSO) via Clever, Google Workspace, and/or Microsoft Azure Active Directory.
 4. Curricular and Instructional Materials are compatible with all modern Internet browsers including but not exclusive to Internet Explorer, Chrome, and Safari using default installation settings and without additional system hardware or software components required on end users' devices.
 5. Curricular and Instructional Materials include student-facing and teacher-facing materials and resources with digital or online formats compatible with Google Workspace and Microsoft Office.
 6. The digital platform supports automated account provisioning and rostering for staff and students, as applicable, via Clever or Secure File Transfer Protocol (SFTP).
 7. Curricular and Instructional Materials support integration with Canvas by Instructure, the district's Learning Management System (LMS), or alternative LMS that MCPS adopts at its sole discretion, via the Learning Tools Interoperability (LTI) specification, version 1.3 or higher. Respondent is required to remain current with the subsequent versions of the LTI open standard within a reasonable time period.
 8. Curricular and Instructional Materials, in part or in whole, are in editable formats including but not exclusive to Google Docs and Microsoft Word, or are customizable within the platform, for the purposes of tailoring lessons on an as needed basis.
 9. Digital or online assessment products and services shall provide either:

- (i) PDFs of assessments that can be uploaded for Answer Key Only (AKO) testing; or
 - (ii) Items and assessments in Question and Test Interoperability (QTI) 2.1 format that can be readily imported into MCPS' data management system (finalists will be asked to submit sample files). In the event that assessments or data content is currently incompatible with current systems, proposals should include a specific timeline to bring content into alignment.
10. Respondent includes centralized management of digital or online Curricular and Instructional Materials for all users that enables MCPS to establish, customize, and control levels of user access and can be managed by the district locally.
 11. Respondent shall provide MCPS with statistics regarding usage of online resources by MCPS and its authorized users according to the then current standards in the industry.
 12. Respondent shall conduct daily backups of MCPS data, either incremental or full, and must conduct full weekly backups. If the Respondent's products and services retains data for individual students, such data shall be retained in the Respondent's online system for a minimum of five years following the creation of each student account and one year following the graduation of each student, unless otherwise as specified or directed by MCPS.
 13. Respondent shall have the ability to configure a nightly (or more frequent) transfer of student data including but not exclusive to online activity and online assessment data to MCPS' data management system (Unify) or any updated, upgraded, or alternative systems that MCPS adopts in its sole discretion.
 14. For digital or online assessments, assessment systems shall have the capability to automate the transfer of student assessment data at the district level. If this cannot be done via direct connection, assessment data can be readily imported in at least one of the following file formats into Unify: csv (comma delimited) or tsv (tab delimited).
 15. By agreeing to deliver materials within this contract, and as per the Individuals with Disabilities Education Act (IDEA), the publisher shall prepare and submit, within 30 days of the contract start date, a National Instructional Materials Accessibility Standard (NIMAS) file set to the terms and procedures set forth by the National Instructional Materials Access Center (NIMAC). The files will be used for the production of specialized formats as permitted under the law for students with disabilities. The publisher also will submit to MCPS a Certification from NIMAC to demonstrate submission of the file.
 16. Curricular and Instructional Materials in digital or print formats including websites are required to meet current Section 508 compliance guidelines.
 17. Curricular and Instructional Materials in digital or print formats are compatible with the district's accessibility tools for students including but not exclusive to **Read & Write for Google** by TextHelp. All digital materials (including audio, video, PDF files and web pages) designed by the publisher are required to be interoperable with district's accessibility tools to provide the following accessibility features:
 - (i) Screen Reader
 - (ii) Text Reader (text to speech)
 - (iii) Word Prediction
 - (iv) Speech to text
 - (v) Ability for students to type directly on the documents
 - (vi) Math equation editor for mathematics documents, i.e., worksheets
 - (vii) Highlighting tools
 - (viii) Annotation tools
 - (ix) Dictionary tools
 - (x) Closed Captions and transcripts for video and audio materials

(xi) Resizable text

3.5.2 **Preferred:** MCPS prefers comprehensive curriculum for ELA that meet the following technical requirements:

1. Curricular and Instructional Materials support and are in conformance with Common Cartridge version 1.3 or higher for the import and export of content.
2. The digital platform includes a RESTful Application Programming Interface (API).

3.6 DIGITAL BALANCE AND ACCESSIBILITY

Instructional materials must be available both digitally and in print to allow for flexibility in implementation to allow for digital balance. Additionally, all vendors must complete and submit a [Voluntary Product Accessibility Template](#) (VPAT) as part of the RFP submission process. The vendor must complete the VPAT 2.4Rev WCAG within the template.

Technology-Based Instructional Products

All Montgomery County Public Schools technology based instructional products (instructional software, online resources, and computer-based equipment) must be consistent with Section 508 federal Rehabilitation Act, of 1973 Maryland Subpart B Technical Standards, and the most recent revision of WCAG Standards at level AA, for accessibility by students and staff, with disabilities.

For digital tools, vendors are required to submit an accessibility conformance report that includes a Voluntary Product Accessibility Template for any invitation for bids, requests for proposals, procurement contracts, grants, or modifications to contracts or grants. The accessibility conformance report must explain how information and communication technology products, including software, electronic content, and support documentation, conform to the most recent Section 508 standards for information technology accessibility under the federal Rehabilitation Act of 1973. The instructions to do so, and the required forms can be found at the General Services Administration (GSA) Section 508 website at <https://www.section508.gov/sell/how-to-create-acr-with-vpat/>.

Vendor Notice of Equivalent Access Standards

Per MD Code 7-910, Equivalent access includes the ability to receive, use, and manipulate information and operate controls necessary to access and use information technology, including by nonvisual means, so that a student with disabilities can access the same services as a student without disabilities with substantially equivalent ease of use.

“Equivalent access” includes:

1. Keyboard controls used for input and synthesized speech;
2. Braille; and

3. Other audible or tactile means used for output.
4. “Nonvisual access” means the ability to receive, use, and manipulate information and operate controls necessary to access information and communications technology through keyboard controls, synthesized speech, braille, or other methods not requiring sight.

The vendor will indemnify Montgomery County Public Schools for liability and costs arising from the failure of the digital tool to meet the requirements of this section.

3.7 System and Organizational Controls (SOC2) Compliance Report

At the time of submission MCPS requires a current SOC2 report. This report is relative to the transaction of sensitive data. A SOC 2 report is designed to provide assurances about the effectiveness of controls in place at a service organization that are relevant to the security, availability, or processing integrity of the system used to process clients' information, or the confidentiality or privacy of that information. This report is necessary if MCPS will be sharing any data as a result of an awarded contract.

3.8 Sample Materials Delivery Process

The Respondents shall submit sample materials, after the close of the RFP and only if contacted by MCPS following the initial review of the submission. This will occur no later than **January 26, 2024**. Respondents may be requested to set up all sample materials at a designated location, during a designated time frame in one day between **January 29-31, 2024**. The selection of vendor finalists will occur by **February 12, 2024**. Vendor presentations, if selected, will take place **February 14-16, 2024**.

If contacted, Respondents should not provide copies of all materials available. Rather, Respondents should provide **representative samples only**. Respondents should provide a guide or overview with the materials that will assist evaluators in navigating sample materials and examining evidence relative to requirements of the RFP. If the respondent will be providing access to downloadable materials for copy and use by MCPS, or the use of licenses or subscriptions to access online materials or software, including accessibility via captions, this should be specified in the RFP submission.

3.9 Pricing

The Respondent's proposal shall include a completed pricing sheet provided in Attachment F for each curriculum, or portion of curricula, that the Respondent is proposing under this RFP, including pricing for the various types of Curricular and Instructional Materials offered by the Respondent. If Respondent proposes an alternative pricing methodology or schedule, it shall be clearly presented in a way that provides all of the information specified in Attachment F.

3.10 Timeline for Implementation and Key Staff

- 3.10.1 The goal is for full implementation for all diploma-bound and non-diploma bound MCPS students during the 2024–2025 school year.

Current PreK–5 enrollment forecasts project approximately 70,000 students.

- 3.10.2 The Respondent's proposal shall include a plan and schedule for implementation in accordance with MCPS' tentative implementation plan described above.
- 3.10.3 After the Respondent has made the Curricular and Instructional Materials available to MCPS, MCPS shall have a period of 180 days ("Acceptance Testing Period") from the date of availability to verify that the curriculum substantially performs to the specifications contained in the RFP. In the event that MCPS determines that the curriculum does not meet such specifications, MCPS shall notify the Respondent in writing, and Respondent shall modify or correct the curriculum so that it meets these specifications, or MCPS may determine in its sole discretion to terminate the contract in accordance with the MCPS General Contract Articles referenced in Section 20.0.
- 3.10.4 In addition, the proposal shall identify key staff members on the Respondent's project team, describe each team member's relevant experience, and describe the role he or she would play in the project. Such key staff shall not be substituted with other personnel or reassigned to another project without MCPS' prior approval in accordance with the MCPS General Contract Articles.

3.11 Data Privacy and Security

As specified in more detail in the MCPS General Contract Articles and elsewhere in this RFP, the Respondent will comply with all federal, state, and local laws, regulations, and ordinances applicable to this project, including but not limited to the requirements of the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g, and its implementing regulations (34 C.F.R. part 99), the Children's Online Privacy Protection Act ("COPPA"), 15 U.S.C. § 6501-6505, and its implementing regulations (16 C.F.R. § 312, et seq.), the Protection of Pupil Rights Amendment, ("PPRA") 20 U.S.C. § 1232(h) and its implementing regulations (34 C.F.R. § 98.1 et seq.), the Maryland Student Privacy Act of 2015, Md. Ed. Code Ann., §4-131, Code of Maryland Regulations (COMAR) 13A.08, as well as applicable Board policies and MCPS regulations, including but not limited to MCPS Regulation AFA-RA, *Research and Other Data Collection Activities in Montgomery County Public Schools*, MCPS Regulation JOA-RA, *Student Records*, and MCPS Regulation JFF-RA, *Federal Requirements for Use of Protected Student Information*.

3.12 Training and Professional Development

The proposal shall describe the initial training and professional development necessary to begin implementation of the proposed curriculum. The training plan should include mechanisms to train district teachers and central services specialists who, in turn, will train school staff and provide support districtwide, including availability of digital professional learning tools.

The professional development plan should be designed to supplement, not supplant, the district's existing approach to professional development that includes: development of school and district expertise and capacity to deliver training districtwide; a focus on equity and cultural proficiency; school-based embedded support from school and district staff; and development of blended professional learning models that include both face to face and virtual learning.

Each Respondent's training and professional development digital or online web-based materials for MCPS personnel must be section 508 compliant and meet accessibility guidelines for our teachers with disabilities. Each Respondent's training and professional development plan must

include immediate on-site and/or interactive web-based training for MCPS personnel so the selected curriculum materials can be used for training and classroom use in the second semester of the 2024-2025 school year, with more intense training during the summer months. The successful Respondent(s) shall work with MCPS to adapt on-site and/or interactive web-based training as needed, and repeat such trainings in the second and third years of the MCPS implementation plan.

3.13 Selection Process

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. As stated in Section 3.0, Respondents may submit responses for all or a portion of the specified grade/subject levels in ELA.

This RFP may result in multiple awards for different components of the scope of services, or MCPS may choose to select an open educational resource in lieu of extending a contract award.

The selected Respondent(s) must have demonstrated experience in developing and implementing high quality digital curriculum, assessments, and professional learning in K–12 school districts.

In determining the qualifications of a Respondent, MCPS will consider the Respondent's record and performance of any prior contracts with MCPS, federal departments or agencies, or other public bodies, including but not limited to the Respondent's record providing Curricular and Instructional Materials to MCPS or other schools or school districts. MCPS expressly reserves the right to reject the proposal of any Respondent if the investigation discloses that the Respondent, 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 Respondent to perform the work, and the Respondent 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 Respondent or investigation of such Respondent fails to satisfy MCPS that such Respondent 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 Respondents 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. Respondents 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 proposed subcontractor(s) and/or third-party provider(s).

MCPS reserves the right to add or delete Respondents, as well as Curricular and Instructional Materials and professional development, as needed or piloted, should its requirements change during the contract term. Also, nothing in this RFP precludes MCPS

from utilizing other Curricular and Instructional Materials either developed by MCPS or otherwise at any point during the contract term.

4.0 CONTRACT TERM

The initial term of contract shall be for three years, subject to the provisions of the MCPS General Contract Articles; however, the contract may not begin until one day after approval by the Board 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 Respondent(s) 90 days prior to the expiration of the original contract. The Respondent(s) 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 of the MCPS General Contract Articles. MCPS also reserves the right to cancel the contract with a Respondent for failure to comply or failure to fulfill the terms of this contract in accordance with Article 13 of the MCPS General Contract Articles.

6.0 REFERENCES

All Offerors shall include a list of a minimum of five references who use the Offeror’s 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, e-mail 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. _____		
E-mail _____		
2. _____		
E-mail _____		
3. _____		
E-mail _____		

4. _____

E-mail _____

5. _____

E-mail _____

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 Respondents shall include any and all statements and representations made within its proposal in the contract for services with the MCPS. This includes, but is not limited to, the Respondent's point-by-point response to this RFP. If the Respondent responds only "Understand and comply," it is assumed that the Respondent complies with MCPS' understanding of the requirement.

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

8.0 MANDATORY SUBMISSIONS

Each Contractor 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. Contractors may request via e-mail to Mrs. Angela McIntosh Davis, Director, MCPS Division of Procurement, at angela_s_mcintosh-davis@mcpsmd.org, a Microsoft Word version to help them in preparing the response.

One (1) original and one (1) electronic version on flash drive of the response, and one (1) redacted hard copy, as well as one (1) electronic version on flash drive of the redacted response must be sent by mail, courier, or hand-delivery to the address below. Responses shall be bound each section identified. A table of contents should be included and all pages numbered as referenced in the Table of Contents. **No faxes or electronic submission of proposals will be accepted. Proposals are to be received no later than 2:00 p.m. on January 12, 2024.** Submit responses of the entire RFP proposal to:

Montgomery County Public Schools
 Division of Procurement
 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.

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

8.1 Complete Response must include:

- Each proposal is not required to contain only one unique product, which is defined as a distinct program or curricula of instructional materials, assessments, and teacher resources in a grade band or grade bands. Single responses that contain multiple products, programs, or options therein are acceptable. Respondents who publish multiple products or programs should submit separate proposals for each product or program. Single distinct products that cross-over multiple grade bands can be submitted in a single proposal, but must be aligned with the grade bands above described in Section 3.0.
- Point-by-point Response to each section of the RFP, including but not limited to each subsection and bulleted list in Section 3.0.
- Separate overview of the Respondent's products and services as well as a statement explaining its alignment with Maryland College and Career Ready Standards.
- Sample of online curriculum content, either through website access or digital downloads, including accessibility via captions.
- Pricing Proposal (use Microsoft Excel). Provide a completed pricing sheet provided in Attachment F for each curriculum, or portion of curricula, that the Respondent proposes, including (i) details regarding the components covered by the unit price per student; and (ii) pricing for the various types of curricular materials offered by the Respondent.
- References, See 6.0 References
- List of all current school district clients, See 6.0 References
- Respondent's annual fiscal report in order to demonstrate the Respondent's financial stability (If desired, the Respondent also may include any other financial documents that the Respondent wishes to include regarding Respondent's financial condition).
- Equal Opportunities Certification (Attachment A)
- Certification of Non-segregated Facilities (Attachment B)
- Minority Business Enterprise (Attachment C)
- Non-Debarment Acknowledgement (Attachment D)
-
- Current Form W-9
- A list of any **allowable** variances from, or objections to, this RFP or the terms and conditions of the MCPS General Contract Articles, as well as a justification for any such variances or objections (a list of non-negotiable terms and conditions are provided in Section 20.0 of this RFP).
- A redacted copy of the Respondent's proposal as specified in Sections 9.0 and 10.0.
- Completion of the Voluntary Product Accessibility Template in Section 3.6
- Provide a SOC 2 report as indicated in Section 3.7

9.0 TREATMENT OF TECHNICAL DATA IN PROPOSAL

The proposal submitted in response to this RFP 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 (“MPIA”), may be so restricted:

Provided, that 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 10.0.

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 MPIA, 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 Offeror(s) 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.

In addition, Respondents shall be prepared to provide a products and services demonstration, providing an overview of the proposed products and services at no cost to MCPS. As appropriate, the Respondent

shall be responsible for the installation of the proposed products and services and any third party software at the MCPS designated demonstration facility before the demonstration, as necessary. If requested by MCPS, the top qualified Offeror(s) shall provide MCPS with an opportunity to access and review the Respondent's Curricular and Instructional Materials as in operation at that time, via the Internet from a MCPS computer, to ensure conformity to the requirements of this RFP as well as for the quality and ease of the user interface.

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.

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

- 11.1.1 Completeness of response.
- 11.1.2 Ability to perform and meet MCPS' needs (based on the criteria set forth in this RFP, including but not limited to Section 3.0, Scope of Services).
- 11.1.3 Qualifications, reputation, and experience of the Respondent relevant to the Scope of Services including specific experience in providing products and services to school districts of similar size, including the bidder's knowledge of best practices, educational research, and ability to respond to findings of the external curriculum review.
- 11.1.4 Qualifications, reputation, and experience of key staff that will be responsible for this contract.
- 11.1.5 Past performance as determined by recent and relevant contracts. Evaluation will be based on information obtained from references provided by the bidder as well as other relevant past performance information obtained from other sources known to MCPS.
- 11.1.6 Pricing proposal and fee structure.

A selection committee comprised of MCPS school-based staff, central office staff and community/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: December 19, 2023
Questions Due: December 28, 2023 at 4:00 pm
Responses to Questions Posted: January 3, 2024
Pre-Proposal Conference: January 5, 2024 from 1:00-2:00pm eastern time
Proposals Due: January 12, 2024 at 2:00pm
Sample Material Set up: January 29-31, 2024
Anticipated award date: March 2024

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

13.0 PRE-PROPOSAL CONFERENCE

A virtual Pre-Proposal Conference for prospective contractors will be held on January 5, 2024, from 1:00PM – 2:00PM, via the Zoom meeting information below. Attendance at this conference is encouraged, but is not mandatory. Questions to this RFP are due by 4:00 p.m. on December 28, 2023, so that responses can be prepared prior to the pre-proposal conference. The purpose of the pre-proposal conference will be to allow prospective firms the opportunity to obtain clarification of the RFP and ask questions directly of MCPS staff to assist them in the preparation of their proposal responses.

Join Zoom Meeting

<https://mcpsmd.zoom.us/j/85807997208?pwd=YmZ4ZG4wVktlelBPdIVpbjU3cUxIdz09>

Meeting ID: 858 0799 7208

Passcode: 071081

14.0 ADDENDA/ERRATA

Changes and addenda to a solicitation may occur prior to the solicitation opening date and time. It is the sole responsibility of the vendor to check the “Vendor Event Calendar” on the MCPS website <http://www.montgomeryschoolsmd.org/departments/procurement> or contact the Division of Procurement at 240-740-7600 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. Contractors 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

Maryland law requires local and state agencies to post solicitations on eMaryland Marketplace Advantage. Registration with eMaryland Marketplace is free. It is recommended that any interested supplier register at <https://emma.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 MULTIAGENCY 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 Awardees contractor(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 contractor. 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, Director, MCPS Division of Procurement, 45 W. Gude Drive, Suite 3100, Rockville, MD 20850, via email, with the subject line to read: **RFP 4970.2 Submission of Question(s)** to [Angela S McIntosh-Davis@mcpsmd.org](mailto:Angela.S.McIntosh-Davis@mcpsmd.org). Questions are due by **4:00 p.m. on December 28, 2023**. Responses will be posted on eMaryland Marketplace and on MCPS' Procurement website on **January 3, 2024**. 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 a contractor in response to a request will be furnished to all contractors 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 contractors. Only such addenda/errata, when issued by MCPS, will be considered binding on MCPS.

Contact by contractors 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 contractor'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 Division of Procurement Regulations, as stated in the MCPS Procurement Manual. The burden of production of all relevant evidence, data and documents and the burden of persuasion to support the protest is on the Contractor 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, 12-14, 16-18, 21-24, 26, and 28 of the MCPS General Contract Articles are non-negotiable.**

As a note of clarification, Article 19 of the MCPS General Contract Articles applies to any products or services that the Respondent develops specifically for MCPS pursuant to this RFP, not to the Respondent's existing off-the-shelf products and services. MCPS understands and acknowledges that the Respondent retains all intellectual property rights to its existing off-the-shelf products and services and that MCPS will be granted licenses to utilize such products and services.

In addition, with regard to Article 8.D. of the MCPS General Contract Articles, MCPS reserves the right to submit payment in the form of credit card, Single Use Account (SUA), or Automated Clearing House (ACH). The Respondent shall not assess MCPS with any additional charge, fee, or price for the use of these electronic payment methods.

21.0 NOTICE TO OFFERORS

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.

(See Next Page)

I. OFFEROR 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. OFFEROR'S CONTACT INFORMATION: This will be filed as your permanent contact information.

1. Company Name _____
2. Address _____
3. Bid Representative's Name _____
4. Phone Number/Extension _____
5. E-mail Address _____
6. Website _____

II. OFFEROR'S CERTIFICATION: Upon notification of award, MCPS intends to enter into a professional services agreement/contract with the awardee. By signing below, the undersigned acknowledges that he/she is entering understand the intent of the award recommendation.

- 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 _____