

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

Request for Proposal #4977.2,
Antiracist and Culturally Responsive Coaching for
Learning and Achievement Specialists, Equity Specialists and Staff Development Teachers

1.0 INTENT

The purpose of this Request for Proposal (RFP) is to partner with a vendor who specializes in antiracist equity training and who provides professional coaching, as well as coaching training, for leaders in education. Antiracism as defined by MCPS is “actively working to ensure racial justice by identifying, interrupting, and dismantling racist practices, policies, and attitudes that disproportionately harm communities of color.” This RFP seeks to elevate the skills of Learning and Achievement Specialists (LASs), Equity Specialists and Staff Development Teachers (SDTs) whose key role is to ensure schools’ progress on improvement plans and identification and interruption of inequities - with the aim of transforming the school system into an antiracist, equitable, and inclusive district where every child gets what they need, every day, in order to thrive; and, all students, families, and staff feel safe, valued, seen, heard, and successful. In MCPS antiracism in action looks like the following:

- Demonstrate an everyday commitment to critical reflection of how our beliefs, practice, and interactions contribute to inequitable outcomes by race.
- Acknowledge the generational harm and disadvantages racism has caused in the communities in which we work and live.
- Understand how the prioritization of dominant culture contributes to racial inequities and the permanence of racism.
- Identify the racial inequities in our context and collaborate with staff, students, caregivers, and community members to address inequities and hold each other accountable.
- Disrupt and eliminate racist policies, practices, and procedures within every classroom and other MCPS space that block access, opportunity, and equitable outcomes for students, staff, and caregivers of color.
- Proactively develop(-ing) new practices and policies that create access, opportunity, and equitable educational, social-emotional, and health outcomes for students, staff, and caregivers of color.

This RFP seeks a partner who is an experienced leader coaching and training education leaders to become effective antiracist coaches themselves. As such we are seeking a partner who will coach, support and provide insightful feedback to all LASs, Equity Specialists, and lead SDTs throughout the 2023-2024 school year. The successful offeror will share a vision aligned to MCPS guiding tenets and be familiar with MCPS structures and initiatives - specifically the MCPS Antiracist Action Plan, school improvement SMARTIE (Smart, Measurable, Achievable, Relevant, Time-Bound, Inclusive, Equitable) goals, and the MCPS Equitable Teaching and Learning Framework (ETLF) - and will have the skills necessary to coach leaders on how to use these MCPS ETLF frameworks to ensure racial justice for students, staff, and caregivers of color. As staff diversity is one of MCPS core priorities, preference will be given to vendors who model MCPS' staff diversity within their organization.

This RFP seeks a partner who is an experienced leader in training and coaching education leaders. The successful offeror must support LASs, Equity Specialists, and lead SDTs professional growth by fostering their knowledge and effective application of change management theory, coaching for equity, and increasing their expertise in collecting, monitoring and responding to multiple levels and types of data. Specifically, this RFP

seeks a partner who will coach, support and provide insightful feedback to these leaders throughout the 2023-2024 school year - as these leaders themselves coach school leadership teams and staff. The key focus area will be increasing leaders' skill with the coaching for equity.

Vendor services would broadly serve the objectives of building the capacity of LASs, Equity Specialists and SDTs to:

- Model in their own practice the expectations they hold for schools
- Employ anti-racist coaching when interacting with school teams and other staff
- Interrupt inequitable practices and expand abilities to build healthy, just, and emotionally resilient relationships and communities
- Apply the skills of facilitative leadership as they lead cogenerative dialogues and other gatherings with local school stakeholders
- Foster strong understanding of - and connection with - each school community they serve
- Bring MCPS' Equitable Teaching and Learning Framework (ETLF) and Standards to play across the district as change drivers (with emphasis on core components 1 and 2 - curriculum, instruction, teaching, and assessment; school and classroom environment)
- Utilize the tools available to them to ensure schools' progress with School Improvement Plans and SMARTIE goals (and guide school teams to do the same)
- Understand and apply change management theory & models
- Collect, monitor and respond to multiple levels and types of data for results
- Embrace reflective practice by seeking and responding to feedback (including 360 feedback) for professional growth - and who model the practice of continuous reflection, soliciting support when needed, and adjusting their practice
- Actively monitor school progress through observations with ETLF standards and the ETFL observation tool, school audits, the SIP Support Tracker, and street data
- Understand change must occur at the individual and group level – that learning, and unlearning, on the part of adults leading in schools – is necessary to ultimately transform systems

2.0 INTRODUCTION

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 2022–2023 school year, MCPS served more than 160,000 students from 157 countries speaking 150 languages. With a Fiscal Year (FY) 2023-24 Operating Budget of approximately \$3.2 billion, MCPS employs more than 24,500 employees. Among the 210 schools that MCPS operates, 42 are National Blue-Ribbon schools. Six MCPS high schools rank in the top 200 of The Washington Post's 2015 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. The student demographics of MCPS in 2022-2023 are as follows:

Hispanic/Latino: 34.6%

White: 24.4%

Black or African American: 21.8%

Asian: 13.9%

Two or more races: ≤ 5.1%

American Indian or Alaskan Native: ≤5.0%

Native Hawaiian or other Pacific Islander: ≤5.0%

English for Speakers of Other Languages (ESOL): 18.2%

Students receiving free & reduced-price meals (FARMS): 33.3%

Students receiving special education services: 11.7%

Students receiving special education services: 11.7%

Despite MCPS having these broad and impressive results, setting strategic priorities and believing outcomes should not be predictable by race, ethnicity, or socioeconomic status — data consistently reveals disparities by race, ethnicity, and learner populations including students receiving special education and EML services. Additionally, a 2022 Antiracist System Audit found that students, staff, and families have different school experiences based on their racial and ethnic backgrounds. The audit also found that “The implementation of policies and application of best practices differs greatly from school to school, suggesting that the system is currently fragmented.” These historic disparities in achievement and experience have expanded in the aftermath of COVID.

MCPS is committed to distributing resources as necessary to provide extra support and interventions so all students can achieve; identifying and eliminating any institutional barriers to students’ success; and ensuring that equitable practices are the norm in all classrooms and workplaces. MCPS sees adult learning and engagement as key to student learning and challenges leaders to analyze and reflect upon evidence to improve practices.

3.0 SCOPE OF SERVICES

3.1 Proposals should address the entire scope of services. Requirements include:

- (a) Human resources and materials to provide a minimum of one, half day of in-person district-wide training for 60 school leaders: Learning and Achievement Specialists (LASs), Specialists in Equity Initiatives Unit, and lead Staff Development Teachers (SDTs) attendees. As these leaders’ coach others and drive professional learning across the county and directly in schools, the learning is to be in the training of trainers’ model and geared toward learners not new to equity coaching.
- (b) Human resources and materials to provide a minimum of 10 hours of individual (in-person preferable and virtual hybrid) district-wide observation with follow-up coaching throughout the 2023-2024 school year, for these 60 school leaders. Bids should include:
 - a. Samples of how coaches will assist these school leaders in the coaching models the vendor will use to build leaders’ capacity.
 - b. Proposal for the organization, infrastructure, and timeline for districtwide school leader coaching of at least 10 hours (in-person and virtual hybrid).
 - c. Proposal to demonstrate how coaching will build school leaders’ capacity to coach school teams.
 - d. Proposal for a culminating coaching session at the school year’s end (can be included as one of the ten coaching sessions) to reflect on the year and create an action plan for future steps.
- (c) Focus on and state how specific transformational coaching for equity moves and skills for school leaders grounded in evidence-based practices, antiracism and culturally responsive practices will be used during training and coaching sessions.
- (d) Offer a process to observe, assess and create bespoke growth plans for each school leader who they coach - then monitor, modify as necessary.
- (e) Demonstrate how they will build strong trust and resilient relationships with school leader coaches.
- (f) Demonstrate how they will foster school leader’s ability to collect, monitor and respond to multiple levels and types of data for results.

- (g) Include a process and tools for evaluation of impact of both the training session and the ongoing coaching.

3.2 Technical Requirements and Vendor Experience

The vendor shall have proven experience working with school systems on district wide coaching grounded in antiracism and culturally responsive practices. In addition, the vendor's proposal shall provide examples of similarly completed projects, or projects in progress, that demonstrate the responding firm's expertise and capabilities in each of the above-listed areas. Examples might include, for example, detailed descriptions supported by printed screen shots, references to websites or apps that MCPS will be able to review online, etc.

3.3 Timeline for Implementation and Key Staff

The vendor's proposal shall propose a plan and schedule for implementation. The proposal shall provide a general timeline and sequence of experiences that will be available for participating learners.

In addition, the proposal shall identify key staff members on the 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.

3.4 Data Privacy and Security

As specified in more detail in the MCPS General Contract Articles and elsewhere in this RFP, the vendor 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 of Education 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*.

3.5. Training

The vendor will provide on-site - and possibly interactive web-based training to school district staff as needed. Initial and follow-up quarterly training (minimum of 3) will be provided to teacher leaders at no additional charge. Fee structures for more comprehensive professional development can be provided as part of the response to this RFP.

It is the intention to award to the most favorable respondent(s) based on the evaluation criteria in Section 12.0. However, the Montgomery County Board of Education reserves the right to make awards according to the best interest of MCPS. This request for proposal may result in multiple awards.

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 online digital curriculum services 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 offeror'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 proposed subcontractor(s) and/or third-party provider(s).

MCPS reserves the right to add or delete Contractors throughout the contract term should MCPS determine, in its sole discretion, that there be a need for additional services not available from the awarded Contractors.

4.0 CONTRACT TERM

The initial term of contract shall be one year as stipulated on the RFP. The contract may not begin until one day after approval by the MCPS 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 MCPS Board of Education to extend the contract or decide to rebid. If the contract is extended by the MCPS Board of Education, a contract amendment will be issued.

5.0 PROVISION FOR PRICE ADJUSTMENT

Price increases will not be considered within the first year of the contract. Thereafter, if the contract is extended, the successful vendor must submit a written request for price relief. Adjustments will be based upon the Consumer Price Index (CPI), specifically, the All Consumer Index, published by the U.S. Department of Labor, Bureau of Labor Statistics, for the Washington D.C., Metropolitan. Downward adjustments shall be made by MCPS without a request from the successful vendor.

MCPS reserves the right to accept or reject the request as may be determined to be in the best interest of MCPS. If the price increase is accepted, a contract amendment will be issued. Any services requested prior to a request for a price increase shall be honored at the original contract price.

6.0 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 specific offeror for failure to comply or failure to fulfill the terms of this contract in accordance with Article 13.

7.0 REFERENCES

All offerors shall include a list of a minimum of five references who use the vendors services and can attest to the firm’s 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 _____		

8.0 FORMAT OF RESPONSE

- 8.1 Response to this RFP shall be submitted in the same order as the RFP and provide an individual response to each RFP specification.
- 8.2 Contractors 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 vendors’ 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.

- 8.3 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.
- 8.4 Pricing proposal shall be submitted as a separate document outlining content, timeline for implementation, training, professional development, etc.

9.0 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 use the Microsoft Word version, posted on the solicitation website, to help them in preparing the response.

One (1) original and three (3) copies as well as one (1) electronic version on flash drive and one (1) redacted copy 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. No faxes or electronic submission of proposals will be accepted. Proposals are to be received no later than 2:00 p.m. on October 25, 2023. 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 may also 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.

Offerors 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
- References, see 7.0 References, including current school district clients

- Vendor's annual fiscal report in order to demonstrate the vendor's financial stability (If desired, the vendor may also 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)
- List of Data Elements (Attachment E)
- Mid-Atlantic Purchasing Team Rider Clause
- 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.
- A separate redacted copy of offeror's proposal as specified in Sections 10.0 and 11.0.

10.0 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 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.

11.0 PROPRIETARY AND CONFIDENTIAL INFORMATION

Offerors are notified that MCPS has unlimited data rights regarding proposals submitted in response to this solicitation. Unlimited data rights mean 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.

12.0 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 13.0, 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. In addition, vendors shall be prepared to provide a product and services demonstration, providing an overview of the proposed product and services at no cost to MCPS. As appropriate, the vendor shall be responsible for the installation of the proposed products and services and any third-party software at the District-designated demonstration facility before the demonstration, as necessary. If requested by MCPS, the top qualified offeror or offeror shall provide MCPS with an opportunity to access and review the vendor's system 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. Selection will be made on the basis of the criteria listed below.

1. Completeness of Response
2. Related past experience, qualifications and capacity
3. Ability to perform (based on the criteria set forth in this RFP, including but not limited to Section 3.0 Scope of Services)
4. References
5. Pricing Proposal

13.0 SCHEDULE OF EVENTS

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

RFP issued: October 3, 2023

Questions Due: October 10, 2023 at 4:00pm

Pre-bid Conference: October 12, 2023 at 10:00am

Proposals Due: October 25, 2023 at 2:00pm

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

14.0 PRE-PROPOSAL CONFERENCE

A virtual Pre-Proposal Conference for prospective contractors will be held on October 12, 2023, from 10:00AM – 11:00AM, 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 PM on October 10, 2023 by 4:00pm, so that responses can be prepared prior to the pre-proposal conference. The purpose of the pre-proposal conference will be to allow prospective contractors 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.

Topic: RFP 4977.2 Pre-Proposal Meeting

Time: Oct 12, 2023 10:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://mcpsmd.zoom.us/j/83010687004?pwd=VW1vajBwakFjTi9SSTFiZTEyN3h2UT09>

Meeting ID: 830 1068 7004

Passcode: 805626

One tap mobile

+13017158592,,83010687004# US (Washington DC)

+13092053325,,83010687004# US

Meeting ID: 830 1068 7004

Firms shall provide the names of the persons who will virtually attend the pre-proposal conference. Please include no more than two representatives. Send the names to Angela McIntosh-Davis, via e-mail to angela_s_mcintosh-davis@mcpsmd.org no later than October 6, 2023.

15.0 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://ww2.montgomeryschoolsmd.org/calendar/mcpsbids.aspx> 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. 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.

16.0 eMARYLAND MARKETPLACE ADVANTAGE (EMMA)

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.

17.0 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, non-public schools such as charter schools, special districts, intermediate units, non-profit 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 Awarded 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 Awarded offeror. MCPS assumes no authority, liability, or obligation on behalf of any other public or non-public entity that may use any contract resulting from this bid. MCPS pricing is based on the specifications provided in this solicitation.

18.0 INQUIRIES

Inquiries regarding this solicitation must be submitted in writing to Ms. Angela McIntosh-Davis, MCPS Division of Procurement, via email to angela_s_mcintosh-davis@mcpsmd.org. Questions are due by 4:00p.m. on October 10, 2023. Responses will be posted on eMaryland Marketplace and on the MCPS' Procurement website prior to the pre-proposal conference. 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 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 their RFP response. The MCPS Procurement website address is <https://www2.montgomeryschoolsmd.org/departments/procurement/vendors/>.

19.0 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.

20.0 BID PROTESTS

Any bid protests, including appeals, will be governed by the applicable MCPS Division of Procurement 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.

21.0 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

staff 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.**

22.0 NOTICE TO OFFERORS

The appropriate items below must be completed as part of the RFP. Failure to comply may disqualify your response. Please 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.

Company Name _____

Address _____

Bid Representative's Name _____

Phone Number/Extension _____

Email Address _____

Website _____

II. VENDOR'S CERTIFICATION: Upon notification of award, MCPS intends to enter into an professional services agreement. By signing below, the undersigned acknowledges that he/she will enter 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 offeror 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 _____