

RFP #06-033

Mandatory Requirements

To be considered for award, all responses to this RFP must include the following:

1. **Needs Assessment Report:**

This includes a new Transqual Summary from each proponent that is party to the proposal. The Summary(ies) submitted must include a printout of the questions, answers and rating. Three Letters of Support are also required.

2. **Direct Service Minimum:** (School)

Proponent (or groups of proponents in the case of collaborative proposals) must directly provide services equal to at least fifty percent (50%) of its contract award.

Bidders must sign the Mandatory Requirements Certification Form (see 5.) Submission Documents).

Components contained in RFP #06-033 are as follows:

- Description of services to be performed
- Evaluation criteria/method of award
- Assurances and attachments
- Submission documents (separate document)

All questions regarding this RFP must be identified as either Program or Fiscal and addressed separately to the appropriate contact and e-mail address listed below no later than the close of business on February 9, 2007. Questions received by that date will be summarized, answered and posted to <http://www.vesid.nysed.gov/rfp> periodically as they are received. Proponents are encouraged to check the website regularly for updates. The final Question and Answer Summary will be posted on 2/14/07. No updates will occur after that date.

Eligible proponents planning to submit proposals in response to this RFP should submit a letter of intent, stating their commitment to do so, to the attention of Mr. William Artini at the e-mail address listed below no later than Friday, February 9, 2007. Letters should state that proposals will be submitted for timely receipt on 2/28/07 (see below) and should include general information about the program[s] to be proposed and the projected number of students to be served by each. Under no circumstances may cost information be included in proponent's Letter of Intent.

Program Matters

Greg Carey
(518) 473-4818
E-Mail: MTP@mail.nysed.gov

Fiscal Matters

William Artini
(518) 402-5388
MTP@mail.nysed.gov

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Seven (7) copies of each technical proposal (one bearing an original signature) and three (3) copies of each cost proposal (one bearing an original signature) must be received no later than:

Date: Wednesday, February 28, 2007

At: NYS Education Department

Time: 3:00 PM

Bureau of Fiscal Management
Contract Administration Unit
89 Washington Avenue, Room 505W EB
Albany, NY 12234

(Facsimile copies of the proposals are NOT acceptable)

Submit in a sealed envelope labeled Bid Proposal - RFP #06-033 Do Not
Open

Submit Cost Proposals in a separate sealed envelope labeled
Cost Proposal – RFP #06-033 Do Not Open

Amended RFP Issue Date February 5, 2007

Deleted: 2

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1.) Description of Services to be Performed

Specifications

This section of the RFP details the services and products to be provided. Please note that the contract process will also include general New York State (NYS) administrative terms and conditions as well as terms and conditions required by NYS law. These terms and conditions address issues related to both the submission of bids and any subsequent contract. They are included separately in the RFP package for your information. Please review all terms and conditions.

Background

VESID is committed to the goal of assisting students with disabilities attending high schools to prepare for adult life. The purpose of this program is for high schools to implement evidence-based transition services in conjunction with community providers of adult services along with other community partners, which result in measurable benefits in terms of transition and which will lead to eventual employment. To support this goal the RFP will result in the establishment of 60 Model Transition Programs (MTPs) for up to 3.5 years.

Funding

Program funding of \$42 million in Federal Section 110 dollars is being made available for the 3.5 year life of the MTP contracts resulting from this RFP. Funding will be awarded as follows:

- First Period (18 months in 2007-2008): Maximum of \$300,000 per MTP
- Second Period (12 months in 2008-2009): Maximum of \$200,000 per MTP
- Third Period (12 Months in 2009-2010) Maximum of \$200,000 per MTP

Districts or BOCES may include up to five MTPs (one per High School) in their proposals. Total award to proponents offering more than one MTP may not exceed the maximum award per MTP, times the number of MTPs offered, in each of the periods defined above (e.g. a School District or BOCES offering the maximum of 5 MTPs may not receive an award that exceeds \$1,500,000 in the First Period, \$1,000,000 in the Second Period and \$1,000,000 in the Third Period). The successful proponents will be eligible for continuation funding subsequent to the initial year depending on successful completion of transition activities. In order to qualify for continued funding each year, proponents must have at least 30 new students with disabilities who become eligible for Vocational Rehabilitation (VR) services via VESID and who complete development of an Individual Plan for Employment (IPE). Continued funding is also based on demonstrated accomplishment of proponent goals and availability of funds.

The purpose of the RFP is to obtain effective transition services to students with disabilities who meet the federal requirements for VESID Eligibility Certification. It is expected that up to 60 multiple year MTP contracts will be awarded for a 3.5 year period

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that will start upon final approval of awarded contracts by OSC. Contract start dates shall be either the dates they were approved by OSC or the first day of the month following said approval whichever is in the best interest of NYSED. It is currently anticipated that OSC approval will occur on or by June 1, 2007. If correct, the 18 month "First Period" described above will start on that date. The 12 month "Second" and "Third" Periods will follow in succession beginning on December 1, 2008 and December 1, 2009 respectively. The contract end date would, therefore, be November 30, 2010. As noted, however, exact contract dates will not be known until the time of final contract approval by OSC. Three months prior to the end of each Funding Period, the contractor must submit a proposed spending plan and a plan of operation for the following year. These will be reviewed to determine that spending categories are allowable and appropriate..

At the end of the 3.5 year contract term otherwise provided for herein, if a replacement contract has not been approved in accordance with State law, any contract awarded hereunder may be extended unilaterally by the State, upon notice for the contractor, at the same terms and conditions, including all contract pricing, for a period of one month. Additionally, this extension may be for a period of up to three months with the concurrence of the contractor. However, any extensions will terminate immediately upon approval of the replacement contract, except where a period for transition of contracts has been previously provided.

Eligibility

Public school districts, 853 Schools, 4201 Schools, Charter Schools, Special Act School districts, the Big Five City School Districts and BOCES who operate high school programs with an average over the last three years of at least 30 students with disabilities that have an Individual Education Plan (IEP) or a 504 Plan who exited each year with either an Advanced Regents Diploma, Regents Diploma, IEP Diploma or GED are eligible to apply. For purposes of this RFP, Students returned to their home schools by 853 and Special Act Schools, as well as students "aging out" are deemed equivalent to "graduates". Entities with high schools that have fewer than 30 students with disabilities graduating per year may collaborate on a proposal with other schools or a BOCES to achieve the 30 student minimum. The collaborating proponent that serves the largest number of students in the proposal must take the role of lead proponent and fiscal agent for such proposals and resulting contracts. Proponents will need to demonstrate an ability to provide effective education to students with disabilities. Please see the needs assessment category for factors. All proponents will need to complete the Transqual¹ process to ascertain needs and strengths related to transition. The Transqual summary will need to be included in the RFP application package as part of the needs assessment.

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To be considered for award, all responses to this RFP must include the following:

¹ Transqual is a researched based protocol developed and managed by Cornell University guiding district self-assessment of transition program and services.

1. **Needs Assessment Report:**

This includes new Transqual Summary for each proponent that is party to the proposal. Summaries must include printout of the questions, answers and rating. This Report must also include three Letters of Support. Please see "Needs Assessment" Section below for additional details.

2. **Direct Service Minimum:**

Proponent (or groups of proponents in the case of collaborative proposals) must directly provide services equal to at least fifty percent (50%) of its contract award. The balance of services may be provided by partners or subcontractors under proponent's direction. It is understood that the proponent receiving contract award (i.e. "Contractor") is responsible for the quality and appropriateness of all services provided under the terms of the contract whether provided directly, by partners or by subcontractors. Use of subcontractors must comply with the limit set forth below. Proponent[s] is also responsible for the coordination of said services.

Subcontracting Limit

Subcontracting will be limited to twenty-five percent (25%) of the annual contract budget (i.e. budget allocated to each of the three contract funding periods noted above). Subcontracting refers to goods or services of an ancillary nature provided by a source other than the proponent or its partners. These include, but may not be limited to, non-employee, direct personal service and related incidental expenses such as travel, child care, etc. Please note that this limit refers collectively to all contract disbursements whether made by the proponent itself or by one of its partners.

★ **Indirect Cost Limits**

Proponents must observe the following Indirect Cost Restrictions:

- School Districts (including NYCDOE and BOCES) must limit these costs to the applicable restricted indirect cost rate set by NYSED.
- Charter Schools, Special Act School Districts, 4201 Schools, 853 Schools and State Operated Schools must limit these costs to the restricted indirect cost rate that is the average of the local school district rates. For 2006-2007 the rate is 2.6%.

NYSED Consortium Policy

- A. A consortium is a group of eligible proponents (i.e. schools) that collaborate together on a single Proposal (MTP). The consortium must designate one of the proponents (i.e. the one serving the largest number of students) to serve as the lead proponent and fiscal agent for the procurement.

B. In the event a contract is awarded to a consortium, the contract will be prepared in the name of the fiscal agent, not the consortium, since the group is not a legal entity.

C. The fiscal agent must meet the following requirements:

- Must receive and administer the contract funds and submit the required reports to account for the expenditure of contract funds.
- Must require fellow consortium proponents and community partners to sign an agreement with the fiscal agent that specifically outlines all services each of them agrees to provide.
- NYSED has established that the consortium must provide services equivalent to a minimum of fifty percent (50%) of the contract award.
- Must comply with the Direct Service Minimum section above.

Program Description

State law and regulation define transition services as a coordinated set of activities resulting in the improvement of the academic and functional achievement of students with disabilities thereby facilitating their movement from school to post-school activities. These include, but are not limited to, post-secondary education, vocational education, integrated competitive employment (including supported employment), continuing adult education and adult services. MTPs proposed must, therefore, include the development of a highly coordinated set of activities based on individual student need, taking into account each student's strengths, preferences and interests. It must include transition goal-related activities, instruction, related service, community experience and development of employment and other post-school adult living objectives. These activities must be evidence-based and result in reasonable benefits in terms of transition outcomes. The following services for eligible students who are within 2 years of exiting high school will be included in contracts resulting from this RFP:

- Transition coordination
- Orientation to Vocational Rehabilitation
- Preparation of eligibility documentation

The purpose of an MTP is to provide school districts opportunities to develop activities and programs for students to gain skills that better prepare them for post high school VESID services and future employment. Proposals and resulting Contracts must, therefore, more particularly include the following for this population:

I. Development of multi-year work related experiences for students:

- Provision of opportunities for in-school youth with disabilities to participate in work place exploration, such as job shadowing, internships, and work place visits.
- Provision of actual work experience in community settings, including summer options.

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- Job development and job-coaching may be part of the proposal for pre-eligible VR students with disabilities.
- II. Direct assistance with application to, and linkages with, VESID VR services:
- Designation of specific staff with responsibility for carrying out transition linkage functions.
 - Provision of timely and complete student application packets to VESID for VR services, including current medical documentation for VR federal eligibility determination, IEP's where applicable, and appropriate release of information documentation.
 - Inclusion of both IEP and Section 504 students in all referral activities.
- III. Parent and student preparation for movement into vocational and other adult services:
- Provision of information sessions on VESID VR Services/activities.
 - Involvement in ongoing vocational process, addressing specific transition concerns and broader issues such as benefits advisement for Social Security recipients.
 - Case management in support of linkages for existing students, to indicated adult services.
 - Assistance with college, FASFA, and other financial aid applications for college-bound students.

Commitment to VR DO Collaboration

The RFP will establish a model through which high schools and their community partners collaborate routinely to ensure that there is smooth transition from schools to post secondary programs and services for students with disabilities. Proposals must describe how proponents will develop a strong working relationship with the VR DO to ensure appropriate transition outcomes. Please see program design section for performance indicators and related strategies to be included in the RFP.

Services Not Included in MTP Contracts

Once a student with a disability is determined eligible by the VESID Vocational Rehabilitation District Office (VR DO) and an open case is established, the following are examples of transition services that may be purchased for students with disabilities by the VR DO directly from the proponent or from a Community Vocational Rehabilitation provider. These services will **not** be covered by the MTP contract but may be purchased separately at the discretion of VR DO staff (please see the following):

- Diagnostic vocational evaluations
- Job development

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- Job coaching
- On the Job Training (OJT)²

Use of Unified Contract Services (UCS) and Similar Providers

Once MTP contracts are awarded, successful proponents must consult a VR DO Counselor when seeking to determine if UCS services or services of a similar nature are available to meet student need. The VR DO Counselor will review information provided by the Proponent, select appropriate service provider (i.e. from UCS Contract or non-UCS Provider) and write authorization for same. Services for which a VR DO Counselor has written an authorization may **not** be billed under the terms of the MTP contract.

Needs Assessment

Proponents must conduct a needs assessment regarding transition prior to submitting their proposal in response to this RFP. All responses to this RFP must include a report of the needs assessment conducted by each proponent along with a plan for allocation of the MTP resources. Contracts will be awarded based on compliance with the specifications set forth in this RFP. Key consideration will be given to collaborative plans in which each proponent describes how it will accomplish MTP goals in cooperation with community partners. This plan shall detail how eligible students will be served by the entities and community partners described in the opening paragraph of this RFP. An accurate reflection of the strengths and needs of the current programs based on a review of data, evidence based transition strategies, appropriate vocational interventions that address identified needs, and measurable outcomes and benchmarks are all critical to this plan.

Regional Transition Coordination Sites will play an important role in these programs; they are under contract with the NYS Education Department to assist districts to implement transition planning and services. Their objectives are to:

- Coordinate existing resources within the geographical area of each Site to provide information, training and technical assistance to support school districts, families, students and community agencies in their implementation of transition planning; and
- Assist at the community level in expanding services that enhance transition of students with disabilities from school of post-secondary educational opportunities, community living, adult services and employment.

Proponents for this RFP are encouraged to work in partnership with their Transition Coordination Site to assist in the implementation of the MTP. To learn more, contact your Transition Coordination site at:
<http://www.vesid.nysed.gov/specialed/transition/tcslist.htm>

² OJT underwrites the student salaries for the employer.

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One of the key factors to be considered in each Bidder's proposal will be its analysis of student and high school data leading to the identification and evaluation of activities most conducive to the successful transition of students with disabilities. Assessment of the status of district activities related to transition must be completed using Transqual. Transqual Online is an organizational assessment tool derived from NYSED's Transition Quality Indicators Self-Assessment. This tool is used to improve the academic achievement and adult outcomes of students with disabilities. Transqual Online assists collaborative teams to determine baseline needs, assess current performance, develop plans, and evaluate outcomes. There is no cost to use this online toolkit. To learn more and to register, go to <http://www.transqual.org>.

As part of the needs assessment, at least three letters of support that indicate collaboration related to transition activities must be included in proponent's submission. The letters of support may be from, but are not limited to, the following: parents, community rehabilitation providers, colleges, businesses, Transition Coordination Sites and/or Independent Living Centers. Please note, however, that letters of support from VESID offices or personnel are not acceptable and, therefore, will not meet this requirement. Factors VESID will consider when selecting awardees include proposals for MTPs that:

- Represent a range of rural, urban/suburban and metropolitan school districts.
- Identify needs and strengths through the Transqual assessment and other processes.
- Feature evidence based transition strategies.
- Target potential positive post-secondary placements.
- Establish effective referral practices to VESID VR.
- Define the role of community partners.

Contract Period

NYSED anticipates awarding up to 60 (sixty) contracts, with a contract period of 3.5 years. The contract period will begin as soon as the contract is approved by OSC. For purposes of funding and programmatic review, this will be divided into three parts. The first 18 months of the contract will constitute Period 1. Periods 2 and 3 will each consist of 12 months and follow Period 1 in succession. For example, assuming that OSC approves the contract on June 1, 2007, the 3.5 life of the contract will start on that day and end on November 30, 2010. The three funding/program review periods included under the contract, would, therefore, be as follows:

- Period 1 would start June 1, 2007 and end November 31, 2008.
- Period 2 would start December 1, 2008 and end November 30, 2009.

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- Period 3 would start December 1, 2009 and end November 30, 2010.

Payment

A start-up advance equal to 25% of the funding awarded for Period 1 will be paid to the contractor following final approval of the MTP contract by OSC. Payments thereafter will be made on a quarterly basis following the contractor's submission of a quarterly expenditure report, a standard voucher and an updated quarterly program progress report in a manner and form prescribed by VESID.

Consultant Staff Changes

The Contractor will maintain continuity of the Consultant Team staff throughout the course of the contract. All changes in staff will be subject to NYSED approval. The replacement Consultant(s) with comparable skills will be provided at the same or lower hourly rate.

2.) Submission

Documents to be submitted with this proposal

This section details the submission document or documents that are expected to be transmitted by the respondent to the State Education Department in response to this RFP. New York State Education Department shall own all materials, processes, and products (software, code, documentation and other written materials) developed under this contract. Materials prepared under this contract shall be in a form that will be ready for copyright in the name of the New York State Education Department. Any sub-contractor is also bound by these terms. The submission will become the basis on which NYSED will judge the respondent's ability to perform the required services as laid out in the RFP. This will be followed by various terms and conditions that reflect the specific needs of this project.

Proposal Submission

Proponents must submit their proposals in two separate component parts. Each submission should contain two separate sealed envelopes clearly marked "Technical Component" and "Cost Component".

Proposals will be separated into three school district categories; rural, urban/suburban and metropolitan defined as follows:

Rural School District:

- A district having fewer than 50 students per square mile; or,
- A district having fewer than 100 students per square mile and an enrollment of less than 2,500.

Urban/Suburban School District:

- A district having at least 100 students per square mile; or,
- A district having an enrollment greater than 2,500 and more than 50 students per square mile.

Metropolitan School District:

- Any district located in New York City (all 5 boroughs), Buffalo, Rochester, Syracuse or Yonkers. Due to the unique methods by which some of the Metropolitan School Districts are subdivided, proposals in this category will be accepted from each eligible school or consortium of schools as equivalent to those submitted by School Districts in the previous two categories.

Please note: School Districts from differing categories are permitted to collaborate together on a proposal. For award consideration purposes, such a proposal shall be placed in the category for which the "lead proponent" qualifies. The "lead proponent" is the school or district within the proposal that serves the largest number of students. The "lead proponent" will serve as the contractor of record and fiscal agent for any

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award resulting from the proposal. It is very important, therefore, that each member of a consortium that agrees to collaborate on a single proposal specify how many students it will serve within the context of the overall proposal.

Technical Proposal

The Technical Proposal must include the following as more particularly described under the "Evaluation Criteria and Method of Award" section below:

- Signed introductory summary that includes information about the bidder and specifies how it complies with the eligibility requirements specified in this RFP (e.g. Graduation levels for students with disabilities, Collaboration with Community Partners, etc.).
- Signed Mandatory Requirements Certification Form
- Needs Assessment Report (including Transqual Summary & three Letters of Support).
- Comprehensive narrative describing population to be served for Periods 1 (18-month), 2, and 3 (12-months). Narrative must specify how many individuals will be served per year by each of the MTP[s] offered. All MTPs offered must serve a minimum of 30 individuals per year during the contract period.
- Comprehensive narrative describing program[s] proposed. Proponent must clearly specify how many MTPs are included in its proposal. If multiple MTPs are offered, they must be individually identified and described.
- Program Staffing Plan (including job descriptions and/or resumes)
 - Projected implementation timeline for the described activities.
 - Completed and signed submission documents (described below).

Cost Proposal

The Cost Proposal must include

- Itemized Cost Detail for the each of the MTPs being proposed by the bidder as well as Proposal Cost Total. VESID deems information contained in this portion of the proponent's submission to be all-inclusive and will not be held liable for any costs exceeding the proposal cost total specified by the proponent.
- The Cost Proposal must identify each of the MTPs being offered (i.e. no more than 5 per Proponent), its related costs and the total number of individuals to be served during the 3.5 year contract period (i.e. no less than 30 per year for each MTP offered). The cost proposal must also identify the School District category (i.e. Rural, Urban/Suburban and Metropolitan as defined above) under which it qualifies for award consideration.
- Provide a written budget on Appendix B budget summary for Period 1 (April 1, 2007 to September 30, 2008) that specifies cost allocations that directly addresses program costs including salary, fringe benefits, supplies, travel fee for service and travel. All costs must be specifically described, justified and individually listed (e.g. in a "line-item" type format).

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- Provide a separate budget narrative for each of the MTPs offered that describes intended use of funds and baseline items and may reflect any additional financial support expected from other sources.
- Provide a written multi-year budget projection chart for each MTP included in the Proposal (Periods 2 and 3). The budget form Appendix B budget summary will be reviewed for accuracy and completeness. The budget narrative will be reviewed to determine that the proposed use of funds for the direct support of the program and the anticipated expenditures are both allowable and appropriate. The narrative will also be reviewed to determine the extent to which it specifically explains and relates proposed expenditures to survey activities in meeting program goals.

3.) Evaluation Criteria and Method of Award

This section begins with the criteria the agency will use to evaluate bids, and closes with the "method of award" or how the contractor will be selected. This will be followed by various terms and conditions that reflect the specific needs of this project as well as New York State contract guidelines and requirements.

Criteria for Evaluating Bids:

Bid proposals will be scored on a basis of 100 points. 75% of award determination shall be based on the Technical Component of applicant's submission which shall be reviewed by VESID's Technical Review Panel. To be considered for award, proposals must achieve a minimum Technical Component Score of 45. Proposals scoring below this amount will be disqualified from award consideration. The remaining 25% of award determination shall be based on the Cost Component of applicant's submission which shall be separately evaluated by NYSED's Contract Administration Unit subsequent to the technical review.

Points shall be awarded as follows:

Technical Criteria

(Total points achievable: 75)

Proposals will be separated into three school district categories; rural, urban/suburban and metropolitan, as defined in section 2.) **Submission section.**

A team of reviewers from VESID and will rate the proposals as noted below. Proposals will be reviewed using the following criteria and ratings. Award will be made to those Bidders who obtain the highest scores. To be considered for award, proposals must achieve a minimum Technical Criteria Score of 45. Proposals scoring below this amount will be disqualified from award consideration.

A. Rationale/Plan (40 points):

1. **Needs assessment (Mandatory):** The Bidder will provide data to establish a baseline of current and past practices that establish foundation for the proposed program model. The needs assessment process must include consultation with key stakeholders and results from Transqua. Narrative for the needs assessment section for rationale/plan section will include:
 - Method to identify needs
 - Identified needs
2. **Population to be Served (5 points):** Narrative for the population to be served section of the rationale/plan will identify target high school(s) and the number of students with disabilities who are potentially eligible for vocational rehabilitation by disability, age and grade level.

3. **Program Design (35 points):** The proposed MTP(s) must define goals and objectives in measurable terms, timelines for completion of program action steps and anticipated outcomes for each year of the contract period. In describing the program model, the program design section must summarize the key-guiding principles for the program (e.g., vision and mission statements), and also, describe how identified needs will be met by the activities of the MTP(s). This section must also describe benefits to be derived from the MTP(s) by students with disabilities and their families (e.g., how the program improves and increases students' connections to integrated employment). Program Design must include:

This section of the MTP proposal must minimally include:

- School District Category of Proponent (i.e. Rural, Urban/Suburban, or Metropolitan as defined above) along with data indicating how this was determined.
- Number and discrete identity of the MTPs contained in the Proposal (maximum of 5 High Schools per School District/BOCES proposal).
- Methods to increase the number of youth with disabilities that are effectively linked to VESID VR and found to be eligible for the VR services.
- Estimate of the number of students to be served by the program (with a minimum of 30 per year).
- Methods to increase number of students who make successful transitions to post-secondary education, employment or training programs.
- Mechanisms by which high schools, parents, students and community partners coordinate and collaborate routinely to ensure there is a smooth transition from school to post-secondary programs and service for students with disabilities.
- Strategies to ensure the involvement of students, their families and schools in the development, implementation and evaluation of the overall plan.
- Outcome measures with an accompanying method of evaluating outcomes.
- Method used to provide performance feedback to parents, students, high school staff and community partners.
- A written agreement with the community partners that at a minimum describes the lead contact for the MTP and the role of the partners.
- Implementation timeline.

B. Student/Parent Involvement (5 points):

Narrative for student/parent involvement must describe strategies to ensure:

- Involvement of students with disabilities and their families in the development of the program.

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- Involvement of students with disabilities and their families in the implementation of the program.
- Involvement of students with disabilities and their families in the evaluation of the program.

C. **Performance Measures (20 points):** Each program must clearly identify performance measures with an accompanying method of evaluating anticipated outcomes on an annual basis. Performance measures must be quantitative and based on verifiable evidence. Examples of quantifiable evidence of performance may include but are not limited to: Successful linkage to VESID vocational rehabilitation services, types and hours accrued of integrated community learning experiences, college admittance, college performance, wage earned, work experience hours and completion of vocational training programs. A strategy to assess student/parent satisfaction also needs to be included.

D. **Staffing Plan and Qualification of Key Personnel (10 points):** This section must include the qualification and responsibility of the key personnel that proponent will dedicate to the MTP, including resumes for existing staff and detailed job descriptions for staff yet to be hired.. For existing staff, the Proposal must describe their previous or current experiences in providing transition services to students with disabilities and their experience collaborating with specified partners. Resumes for existing staff should be included with the Proposal. Resumes must also be provided throughout the life of the contract for new staff assigned to the MTP at the time of assignment. Any staff associated with the program must be able to demonstrate direct work experience with students with disabilities and their families, knowledge of community resources, knowledge of Federal and State law regarding education of students with disabilities, knowledge of Federal and State laws regarding vocational rehabilitation, and demonstrated skills in developing a collaborative educational models. An assurance is required that personnel is selected for employment without regard to race, age, color, origin, creed, disability, gender, sexual orientation, marital status, veteran status, national origin, gender and/or sexual orientation. Narrative for the qualification of key personnel must address how:

- Staff qualifications must commence with the program requirements.
- Staff qualifications adequate to meet the outcomes and performance targets.

Financial Criteria

(Total points achievable: 25)

The cost proposal will be reviewed independently from the program proposal narrative and should be submitted in a separate envelope marked "Cost Proposal – RFP 06-033 Do Not Open".

- The budget proposal represents 25 points of the overall score and will be awarded points pursuant to a formula. This calculation will be computed

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by the Contract Administration Unit upon completion of the scoring of the technical component of the proposal by the technical review panel.

- The budget proposal will be rated on the 3.5 year contract total.
- The agency reserves the right to request best of final offers.
- The proposal will be awarded points pursuant to a formula and awarded the highest number of points to the budget that affects the lowest overall "Cost per Individual Served". A full 25 points will be awarded to the proposal offering the lowest "Cost per Individual Served" in each of the award categories (Rural, Urban/Suburban and Metropolitan Districts for the first 30 awards, followed by lowest "Cost per Individual Served" distributed across all categories for the remaining 30 awards). "Cost per Individual Served" will be calculated by dividing the 3.5 year total of the Proposal by the total number of individuals to be served during that 3.5 year period. The remaining budgets will be awarded points based on a calculation that computes the relative difference of each proposal against the lowest "Cost per Individual Served" submitted.

Method of Award:

Proposals will first be grouped and rated according to the type of school district; rural, urban/suburban and metropolitan. The Technical Criteria and Cost Criteria submitted by each bidder is reviewed and scored separately. Once reviews are complete, the Technical and Cost Criteria scores for each bidder are added together resulting in the bidder's "aggregate score". The first 30 contracts will be awarded to the 10 top scoring proponents in each of the rural, urban/suburban and metropolitan categories noted above. The remaining 30 contracts will be awarded to the next 30 highest scoring proponents regardless of school district type (i.e. across all districts, depending on score). As noted, the first 30 Contracts will be awarded to the proponents whose aggregate scores are the highest in all the proposals submitted for each type of school district. In the event that proposals obtained the same aggregate score, the contract will be awarded to the school district in the group of highest aggregate scores whose budget component (3.5-year total) will be the lowest overall "Cost per Individual Served." The next 30 contracts would be awarded to the remaining proponents whose proposals rated the highest scores in this second group, regardless of school district type. In the event that more than one proposal obtains the same aggregate score in the second group, the contract will be awarded to the Bidder whose budget component (3.5 year total) reflects the lowest overall "Cost per Individual Served." NYSED reserves the right to reject any or all proposals received or to cancel this RFP, if, at its sole discretion, it determines that it is in its best interest to do so.

Post Selection Procedures: Subsequent to award, NYSED will formulate contracts and forward them to the successful Bidders. The contents of this RFP, any subsequent correspondence during the proposal evaluation period, and all terms, conditions and

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clauses required by the State of New York will be included in the final contract documents.

Vendor Responsibility

State law requires that the award of state contracts be made to responsible vendors. Before an award is made to a not-for-profit entity, a for-profit entity, a private college or university or a public entity not exempted by the Office of the State Comptroller, the Department must make an affirmative responsibility determination. The factors to be considered include: legal authority to do business in New York State; integrity; capacity-both organizational and financial; and previous performance. Before an award of \$100,000 or greater can be made to a covered entity, the entity will be required to complete and submit a Vendor Responsibility Questionnaire. Vendors selected for an award who must complete the questionnaire will receive it with the award letter.

Consultant Disclosure Legislation

Effective June 19, 2006, new reporting requirements became effective for State contractors, as the result of an amendment to State Finance Law §§ 8 and 163. As a result of these changes in law, State contractors will be required to disclose, by employment category, the number of persons employed to provide services under a contract for consulting services, the number of hours worked and the amount paid to the contractor by the State as compensation for work performed by these employees. This will include information on any persons working under any subcontracts with the State contractor.

Chapter 10 of the Laws of 2006 expands the definition of contracts for consulting services to include any contract entered into by a State agency for analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal, or similar services.

To enable compliance with the law, State agencies must include in the Procurement Record submitted to OSC for new consultant contracts, the State Consultant Services Contractor's Planned Employment From Contract Start Date Through the End of the Contract Term (Form A - see link below). The completed form must include information for all employees providing service under the contract whether employed by the contractor or a subcontractor. Please note that the form captures the necessary planned employment information ***prospectively from the start date of the contract through the end of the contract term.***

Form A: <http://www.osc.state.ny.us/agencies/gbull/g226forma.doc>

Chapter 10 of the Laws of 2006 mandates that State agencies must now require State contractors to **report annually** on the employment information described above, including work performed by subcontractors. The legislation mandates that the annual employment reports are to be submitted by the contractor to the contracting agency, to OSC and to the Department of Civil Service. State Consultant Services Contractor's Annual Employment Report (Form B - see link below) is to be used to report the

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information for all procurement contracts above \$15,000. Please note that, in contrast to the information to be included on Form A, which is a one-time report of planned employment data for the entire term of a consulting contract on a projected basis, ***Form B will be submitted each year the contract is in effect and will capture historical information, detailing actual employment data for the most recently concluded State fiscal year (April 1 – March 31).***

Form B: <http://www.osc.state.ny.us/agencies/gbull/g226formb.doc>

For more information, please visit the OSC web site for G-Bulletin 226 at: <http://www.osc.state.ny.us/agencies/gbull/g-226.htm>.

4.) Assurances

Appendix A – Standard Clause for all New York State Contracts **WILL BE INCLUDED** in the contract that results from this RFP. Vendors who are unable to complete or abide by these assurances should not respond to this request.

The documents listed below are included in **5.) Submission Documents**, which must be signed by the Chief Administrative Officer. Please review the terms and conditions. Certain documents will become part of the resulting contract that will be executed between the successful bidder and the NYS Education Department.

Appendix A – Standard Clause for all New York State Contracts, contains the following two (2) certifications:

MacBride Certification
(Signature Required - the form is included in 5.) Submission Documents)

Certification-Omnibus Procurement Act of 1992
(Signature Required - the form is included in 5.) Submission Documents)

Affirmative Action and Minority/Women Owned Business Enterprise Policy

Certification Regarding Lobbying; Debarment and Suspension; and Drug-Free Workplace Requirements
(Signature Required - the form is included in 5.) Submission Documents)

STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6.a).

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in

Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other