



## REQUEST FOR PROPOSAL

RFP NUMBER: CSP903516  
INDEX NUMBER: EDU090  
UNSPSC CATEGORY: 86000000

The state of Ohio, through the Department of Administrative Services, Office of Procurement Services, on behalf of the Ohio Department of Education, is requesting Proposals for:

### OHIO TEACHER INCENTIVE FUND: TEACHER LEADERSHIP ENDORSEMENT PROGRAM

**OBJECTIVE:** The Ohio Teacher Incentive Fund (TIF) looks to extend a teacher leadership endorsement program that existed over the past year across twenty-two (22) rural, small town and urban school districts. Three (3) courses, each valued at three (3) credit hours were provided to each educator traversing the program for their licensure endorsement. Thirteen (13) Ohio TIF districts have identified their desire to pursue continuation of a teacher leadership endorsement program within their respective districts, adding the ability to broaden the scope of a collaborative leadership structure from which to enhance educational outcomes for all. Thus, the objective is to provide 148 educators across these 13 school districts a college credit teacher leadership endorsement program that will enable these educators to obtain their teacher leadership endorsement on their educator license at the conclusion of the identified program.

### THIS SOLICITATION CONTAINS AN EMBEDDED MINORITY SET-ASIDE COMPONENT

RFP ISSUED: September 10, 2015  
INQUIRY PERIOD BEGINS: September 10, 2015  
INQUIRY PERIOD ENDS: September 30, 2013 at 8:00 AM  
PROPOSAL DUE DATE: October 7, 2013 by 1:00 PM

Proposals received after the due date and time will not be evaluated.

Submit Sealed Proposals to:

Department of Administrative Services  
Office of Procurement Services  
Attn: Bid Desk  
4200 Surface Road  
Columbus, OH 43228-1395

Note: Please review the [Proposal Instructions](#) on our Web site.

The Offeror must submit this cover page (signed) with its Technical Proposal.

<b>Offeror Name and Address:</b>  _____  _____  _____  _____  E-Mail Address: _____  Phone Number: ( ) _____ - _____ Ext. _____	<b>Name/Title:</b>  _____  _____  Signature: _____  By submitting a response to this RFP, and signing above, Offeror acknowledges, understands and agrees to comply with the RFP requirements and confirms all the instructions and links have been read and understood.
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SUPPLEMENTS:

Supplement One                      Ohio MBE Subcontractor Data Collection Form

RFP GLOSSARY OF TERMS

AA:                      Affirmative Action  
Contractor:            Vendor after Award  
CSP:                    Competitive Sealed Proposal  
DAS:                    Department of Administrative Services  
EOD:                    Equal Opportunity Division  
FEI:                     Federal Employer Identification  
Mandatory:            Must, Will, Shall  
OAC:                    Ohio Administrative Code  
OAKS:                  Ohio Administrative Knowledge System (Ohio's Accounting System)  
OBG:                    Ohio Business Gateway  
Offeror:                Vendor Submitting Proposal  
OPS:                    Office of Procurement Services  
ORC:                    Ohio Revised Code  
RFP:                    Request for Proposal  
SOS:                    Secretary of State  
TIF:                     Teacher Incentive Fund  
UNSPSC:                The United Nations Standard Products and Services Code

## 1.0 EXECUTIVE SUMMARY

- 1.1 INTRODUCTION This is a Request for Competitive Sealed Proposals (RFP) under Section 125.071 of the Ohio Revised Code (ORC) and Section 123:5-1-08 of the Ohio Administrative Code (OAC). The Department of Administrative Services (DAS), Office of Procurement Services, on behalf of the Ohio Department of Education (the Agency), is soliciting competitive sealed proposals (Proposals) for the Ohio Teacher Incentive Fund: Teacher Leadership Endorsement Program. If a suitable offer is made in response to this RFP, the state of Ohio (State), through DAS, may enter into a contract (the Contract) to have the selected Offeror (the Contractor) perform all or part of the Project (the Work). This RFP provides details on what is required to submit a Proposal for the Work, how the State will evaluate the Proposals, and what will be required of the Contractor in performing the Work.

This RFP gives the dates on page 1 for the various events in the submission process. While these dates are subject to change, prospective Offerors must be prepared to meet them as they currently stand.

- 1.2 CONTRACT PERIOD Once awarded, the term of the Contract will be from the award date through September 30, 2016. The State may solely renew all or part of this Contract at the discretion of DAS for a period of one month and subject to the satisfactory performance of the Contractor and the needs of the Agency.
- 1.3 MINORITY BUSINESS ENTERPRISE PROGRAM. The State is committed to making more State contracts and opportunities available to minority business enterprises (MBE) certified by the Ohio Department of Administrative Services pursuant to Section 123.151 of the Ohio Revised Code and Rule 123:2-15-01 of the Ohio Administrative Code. This RFP contains a sheltered solicitation requirement, which encourages the Offeror to seek and set aside a portion of the Work to be exclusively performed by Ohio certified MBE businesses. For more information regarding Ohio MBE certification requirements, including a list of Ohio certified MBE businesses, please visit the DAS Equal Opportunity Division web site at:

<http://das.ohio.gov/Divisions/EqualOpportunity/MBEEDGECertification/tabid/134/default.aspx>

To search for Ohio certified MBE businesses, utilize the following search routine published on the DAS Equal Opportunity Division website:

1. Select "Locate MBE Certified Providers" as the EOD Search Area selection;
2. Select "MBE Certified Providers" link;
3. On the subsequent screen select "All Procurement Types" as a search criterion;
4. Select "Search"; and
5. A list of Ohio MBE Certified Service Providers will be displayed.

In seeking solicitations from Ohio certified MBE businesses, the Offeror must:

1. Utilize a competitive process to which only Ohio certified MBEs may respond;
2. Have established criteria by which prospective Ohio MBEs will be evaluated including business ability and specific experience related to the Project requirements; and
3. Require the Ohio certified MBE maintain a valid certification throughout the term of the Contract, including any renewals.

- 1.4 BACKGROUND The Ohio Teacher Incentive Fund (TIF), through a one year extension from the U.S. Department of Education, looks to extend a teacher leadership endorsement program that existed over the past year across twenty two (22) rural, small town and urban school districts. This program has previously allowed over 400 educators across twenty-two (22) of the twenty-three (23) Ohio Teacher Incentive Fund (Ohio TIF) districts to earn, through college credits, a teacher leadership endorsement addition to their educator license. Through this endorsement, teachers are better poised to share in a collaborative leadership structure within their respective districts, working to further lessen the burden on administrative ranks while bringing a level of transparency to district operations.

Historically, three (3) courses, each valued at three (3) credit hours have been provided to each educator traversing the program for their licensure endorsement. These courses have been focused on developing a deeper understanding of leadership, facilitating teacher development through collaboration and coaching and mentoring. Districts who have participated in this program were instructed in centralized locations for the first course and then completed the final two courses within their respective districts with an adjunct professor identified during the first course's session. This allowed for districts and educators to identify problems of practice within their respective districts while focusing on the aforementioned areas of focus in the coursework. As well, a partnership was formed with Battelle for Kids (BFK) and the BFK Connect program to further enhance programmatic outcomes.

Through the extension of Ohio TIF, thirteen (13) Ohio TIF districts have identified their desire to pursue continuation of a teacher leadership endorsement program within their respective districts, adding the ability to broaden the scope of a collaborative leadership structure from which to enhance educational outcomes for all. Thus, the objective is to provide 148 educators across these 13 school districts a college credit teacher leadership endorsement program that will enable these educators to obtain their teacher leadership endorsement on their educator license at the conclusion of the identified program. District information is referenced below. Offerors are not to contact districts.

<u>District Name</u>	<u>Address</u>	<u>Participating Educators</u>
Batavia Local Schools	2400 Clermont Center Dr. Batavia OH 43103	12
Bellefontaine City Schools	820 Ludlow Rd, Bellefontaine, OH 43311-1852	18
Belpre City Schools	2014 Rockland Ave, Belpre, OH 45714-1118	6
Circleville City Schools	388 Clark Dr, Circleville OH 43113-1517	16
Coshocton City Schools	1207 Cambridge Rd, Coshocton OH 43812-2742	13
Crooksville Exempted Village Schools	4065 School Dr, Crooksville OH 43731-1013	8
Georgetown Exempted Village Schools	1043 Mt Orab Pike, Georgetown OH 45121-8440	7
Marietta City Schools	111 Academy Dr, Marietta OH 45750-8053	14
Maysville Local Schools	PO Box 1818, Zanesville OH 43701-8593	9
Morgan Local Schools	PO Box 509, Mc Connelsville OH 43756-1218	15
New Lexington City Schools	101 3rd Ave, New Lexington OH 43764-1407	12
New Miami City Schools	600 Seven Mile Ave, Hamilton OH 45011-5748	6
West Muskingum Local Schools	4880 West Pike, Zanesville OH 43701-9390	12

Total: 148 Educators

- 1.5 SCOPE OF WORK One hundred forty-eight (148) educators across thirteen (13) Ohio TIF districts will be participating in a teacher leadership endorsement program designed to enhance individuals' understanding of leadership, further enhancing teacher development through collaboration, and coaching and mentoring. These educators will participate in three (3) courses, each rated at three (3) credit hours each for a total of nine (9) semester hours, fulfilling the requirements to obtain a teacher leadership endorsement on their license. These courses may be provided in the following methods: face-to-face, online, blended (face-to-face and virtual platforms) and cohort groups.

These courses shall begin in October/November 2015 and all coursework to fulfill the teacher leadership endorsement requirement will be completed no later than September 30, 2016. Evidence of participant's attendance and completion of the program shall be provided to the Ohio TIF Project Director.

Related coursework should focus on identified problems of practice within each school district to ensure relevancy to new learning. Ongoing discussions/lessons should include identified strategies in optimal utilization of educators with teacher leadership endorsements, leading to a more effective collaborative leadership structure.

- 1.5.1 Program Requirements. The proposed teacher leadership endorsement program must meet the following needs of Ohio TIF educators:

1. Program design/description must allow for identified problems of practice within respective districts to enhance authenticity of proposed coursework.
2. Flexibility in meeting the needs of rural districts and availability to travel to districts to provide support in coursework/instruction.
3. Group designed lessons/learning that will enable participants to learn more about leadership capacities through their district's lens.
4. Outreach to superintendents and principals from providers of the program in assisting with the understanding of how best to utilize teacher leadership candidates in a collaborative leadership structure.
5. Focus on sustainability after the No Cost Extension period ends (September 30, 2016) in terms of utilization of participants in this program as shared leaders in schools and districts.

- 1.5.2 Contractor Responsibilities. The Contractor shall:

1. Develop a plan for providing coursework meeting the necessary requirements and alignment with the Teacher Leader Standards in Ohio. The program of preparation shall include a practicum experience during which the candidate shall be required to demonstrate the knowledge, skills and dispositions at the distinguished level that are described in the Ohio Standards for the Teaching Profession. These standards can be found at the following link:

<http://education.ohio.gov/Topics/Teaching/Educator-Equity/Ohio-s-Educator-Standards>

- The coursework shall consist of three (3) college credit courses for a total of nine (9) semester hours.
2. Describe course requirements which will include flexibility in delivery methods across Ohio TIF districts.
3. Communicate, on an ongoing basis, with the 13 Ohio TIF districts to ensure programmatic requirements are being met.
4. Support learners in the teacher leadership endorsement program through reflections, assignments and communications designed to further enhance leadership skills.
5. Outline syllabi expectations, course content and associated materials
6. Provide ongoing communication to the Ohio TIF Project Director regarding status of the program, participant completion data and feedback from participants.

7. Ensure high fidelity of learning through identified problems of practice within individual districts aligned to coursework expectations.

1.5.3 Qualified Applicants. The college/university providing this program must be accredited and well versed in the teacher leadership endorsement expectations for Ohio’s educators. The college/university must also have the ability to provide multiple platforms for learning which include face-to-face instruction, on-line coursework and blended approaches to meet the needs of the thirteen (13) Ohio TIF districts participating in this program.

1.5.4 Legal Requirements. As federal funds will support this program, no food or beverages can be purchased in supporting the program.

1.5.5 Work Plan. Offeror’s Work Plan shall detail how it will meet all Contractor responsibilities as described above. In addition, Offeror shall submit a proposed timeline for all project activities and a discussion of any anticipated difficulties with this project and proposed solutions for these difficulties.

1.6 CONFIDENTIAL, PROPRIETARY OR TRADE SECRET INFORMATION DAS procures goods and services through a RFP in a transparent manner and in accordance with the laws of the state of Ohio. All proposals provided to DAS in response to this RFP become records of DAS and as such, will be open to inspection by the public after award unless exempt from disclosure under the Ohio Revised Code or another provision of law. Refer to section 5.1.6 in the Instructions.

1.7 REGISTRY OF OFFERORS DAS will prepare a registry of Proposals containing the name and address of each Offeror. The registry will be on the Office of Procurement Services Web site and available for public inspection after the Proposals are received.

1.8 PROPOSAL SUBMITTAL Offeror must submit both a “Technical Proposal” and a “Cost Proposal” as a part of its Proposal package. These are two separate components which shall be submitted in separate sealed envelopes/packages, clearly identified on the exterior as either “Technical Proposal” or “Cost Proposal” with CSP903615 and due date on each. Offeror must submit this signed cover page with its technical Proposal. Offeror shall mark the correct CSP number on all envelopes/packages. Refer to section 5.1.6 in the Instructions for further detail.

1.9 NUMBER OF PROPOSALS TO SUBMIT Offeror must submit one (1) original, completed and signed in blue ink, and four (4) copies for a total of five (5) Proposal packages.

2.0 EVALUATION OF PROPOSALS

2.1 MANDATORY REQUIREMENTS The following table contains items that are Mandatory Requirements for this RFP.

Determining the Offeror’s ability to meet the Mandatory Requirements is the first step of the DAS evaluation process. The Offeror’s response must be clearly labeled “Mandatory Requirements” and collectively contained in Tab 2 of the Offeror’s Proposal in the “Offeror Required Information and Certification” section.

DAS will evaluate Tab 2 alone to determine whether the Proposal meets all Mandatory Requirements (accept/reject). If the information contained in Tab 2 does not clearly meet every Mandatory Requirement, the Proposal may be disqualified by DAS from further consideration.

TABLE 1 - MANDATORY PROPOSAL REQUIREMENTS

Mandatory Requirements
1. University/College is accredited and illustrates working knowledge of teacher leadership endorsement in Ohio.
2. Lead professor(s) proposed for this program have documented experience in large scale programs across several districts within the past three (3) years.
3. Lead professor(s) providing instructional leadership for this program have a documented experience in working with rural educators from the pK-12 educational setting within the past three (3) years.

If the State receives no Proposals meeting all of the mandatory requirements, the State may elect to cancel this RFP.

2.2 PROPOSAL EVALUATION CRITERIA If the Offeror provides sufficient information to DAS in its Proposal, demonstrating it meets the Mandatory Requirements, the Offeror's Proposal will be included in the next step of the evaluation process which involves the scoring of the Proposal Technical Requirements (Table 3), followed by the scoring of the Cost Proposals. In the Proposal evaluation step, DAS rates the Proposals based on the following listed criteria and the weight assigned to each criterion. The possible points allowed in this RFP are distributed as indicated in the Table 2 - Scoring Breakdown.

2.3 TABLE 2 - SCORING BREAKDOWN

Criteria	Maximum Allowable Points
Proposal Technical Requirements	1050 Points
Proposal Cost	230 Points
MBE Participation Credit	225 Points
Total	1505 Points

2.4 SCORE RATINGS The scale below (0-5) will be used to rate each proposal on the criteria listed in the Technical Proposal Evaluation table.

DOES NOT MEET 0 POINTS	WEAK 1 POINT	WEAK TO MEETS 2 POINTS	MEETS 3 POINTS	MEETS TO STRONG 4 POINTS	STRONG 5 POINTS
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DAS will score the Proposals by multiplying the score received in each category by its assigned weight and adding all categories together for the Offeror's Total Technical Score in Table 3. Representative numerical values are defined as follows:

DOES NOT MEET (0 pts.): Response does not comply substantially with requirements or is not provided.

WEAK (1 pt.): Response was poor related to meeting the objectives.

WEAK TO MEETS (2 pts.): Response indicates the objectives will not be completely met or at a level that will be below average.

MEETS (3 pts.): Response generally meets the objectives (or expectations).

MEETS TO STRONG (4 pts.): Response indicates the objectives will be exceeded.

STRONG (5 pts.): Response significantly exceeds objectives (or expectations) in ways that provide tangible benefits or meets objectives (or expectations) and contains at least one enhancing feature that provides significant benefits.

2.5 TABLE 3 - TECHNICAL PROPOSAL EVALUATION

Criterion	Weight	Rating (0 to 5)	Extended Score
Offeror Profile			
Company information: number of years in business, number of employees, financial stability, capacity to do the work, and years of relevant experience. Complete Offeror Profile Form 5.2.3.	10		
Offeror Prior Projects			
Prior Projects of similar scope and size (minimum of three (3) in past five (5) years). Include a brief summary of the services provided for each. Complete Form 5.2.4 for each project	15		
Staffing Plan			

The Offeror must submit forms 5.2.5 and 5.2.6 for proposed Project Manager and any other key personnel to include candidate's education, training, qualifications and proposed work assignment. Offeror shall detail candidate's relevant experience related to the requirements of this project.	10		
<b>Criterion</b>	<b>Weight</b>	<b>Rating (0 to 5)</b>	<b>Extended Score</b>
Scope of Work. Offeror's Work plan shall include, at a minimum, the following:			
A plan for providing coursework meeting the necessary requirements for the Teacher Leadership Endorsement requirements under Ohio's Educator Licensure	20		
A description of course requirements which will include an outline of syllabi expectations, course content and associated materials.	20		
Proposed delivery methods across Ohio TIF districts to illustrate the flexibility needed.	25		
A proposed communications plan with the TIF districts and with the Ohio TIF Project Director.	20		
Methods to support learners in the teacher leadership endorsement program through reflections, assignments and communications designed to further enhance leadership skills.	30		
A plan to ensure high fidelity of learning through identified problems of practice within individual districts aligned to coursework expectations.	30		
Proposed timeline for all project activities.	15		
A discussion of any anticipated difficulties and proposed solutions for those difficulties.	15		

Total Technical Score: \_\_\_\_\_

2.6 **PRESENTATIONS AND INTERVIEWS** DAS may require top Offerors to be interviewed. Such interviews will provide an Offeror with an opportunity to present its Proposal and to ensure a mutual understanding of the Proposal's content. This will also allow DAS and the Agency an opportunity to test or probe the professionalism, qualifications, skills, and work knowledge of the proposed candidates. The interviews will be scheduled at the convenience and discretion of DAS and the Agency. DAS or the Agency may record any presentations and interviews. The one (1) to three (3) highest scoring Offerors; but no more than the top three (3) may be required to participate. Interviews will be scheduled to be held in Columbus, Ohio at the vendor's expense, if applicable.

In this RFP, DAS asks for responses and submissions from Offerors, most of which represent components of the above criteria. While each criterion represents only a part of the total basis for a decision to award the Contract to an Offeror, a failure by an Offeror to make a required submission or meet a mandatory requirement will normally result in a rejection of that Offeror's Proposal. The value assigned above to each criterion is only a value used to determine which Proposal is the most advantageous to the State in relation to the other Proposals that DAS received.

Once the technical merits of a Proposal are evaluated, the costs of that Proposal will be considered. It is within DAS' discretion to wait to factor in a Proposal's cost until after the conclusion of any interviews, presentations, demonstrations or discussions. Also, before evaluating the technical merits of the Proposals, DAS may do an initial review of costs to determine if any Proposals should be rejected because of excessive cost. DAS may reconsider the excessiveness of any Proposal's cost at any time in the evaluation process.

2.7 **COST PROPOSAL POINTS** DAS will use the information the Offeror submits on the Cost Summary Form to calculate Cost Proposal Points. DAS will calculate the Offeror's Cost Proposal points after the Offeror's total technical points are determined, using the following method:

Cost points = (lowest Offeror's cost/Offeror's cost) x Maximum Allowable Cost Points as indicated in the "Scoring Breakdown" table. "Cost" = Total Project Cost identified in the Cost Summary section of Offeror's Proposal. In this method, the lowest cost proposed will receive the maximum allowable points.

The number of points assigned to the cost evaluation will be prorated, with the lowest accepted Cost Proposal given the maximum number of points possible for this criterion. Other acceptable Cost Proposals will be scored as the ratio of the lowest Cost Proposal to the Proposal being scored, multiplied by the maximum number of points possible for this criterion.

An example for calculating cost points, where Maximum Allowable Cost Points Value = 60 points, is the scenario where Offeror X has proposed a cost of \$100.00. Offeror Y has proposed a cost of \$110.00 and Offeror Z has proposed a cost of \$120.00. Offeror X, having the lowest cost, would get the maximum 60 cost points. Offeror Y's cost points would be calculated as \$100.00 (Offeror X's cost) divided by \$110.00 (Offeror Y's cost) equals 0.909 times 60 maximum points, or a total of 54.5 points. Offeror Z's cost points would be calculated as \$100.00 (Offeror X's cost) divided by \$120.00 (Offeror Z's cost) equals 0.833 times 60 maximum points, or a total of 50 points.

Cost Score: \_\_\_\_\_

2.8 MBE PROPOSAL POINTS. In the Evaluation Scoring Formula of the RFP, the Offeror who identifies one or more qualified Ohio certified MBE subcontractor(s) and has the highest percentage of its cost proposal set aside exclusively for identified Ohio certified MBE subcontractors' Work will receive the maximum number of points set forth in the RFP. The remaining Offerors will receive a percentage of the maximum points allowed. Offerors who do not identify a percentage to be set aside for Ohio certified MBE subcontractor(s) or do not identify one or more Ohio certified MBE subcontractor(s) will receive zero points.

2.9 FINAL STAGES OF EVALUATION The Offeror with the highest point total from all phases of the evaluation (Technical Points + Cost Points) will be recommended for the next phase of the evaluation.

Technical Score: \_\_\_\_\_ + Cost Score: \_\_\_\_\_ + MBE Set-Aside Score = Total Score: \_\_\_\_\_

If DAS finds that one or more Proposals should be given further consideration, DAS may select one or more of the highest-ranking Proposals to move to the next phase. DAS may alternatively choose to bypass any or all subsequent phases and make an award based solely on the Proposal evaluation phase.

2.10 REJECTION OF PROPOSALS DAS may reject any Proposal that is not in the required format, does not address all the requirements of this RFP, or that DAS believes is excessive in price or otherwise not in the interest of the State to consider or to accept. In addition, DAS may cancel this RFP, reject all the Proposals, and seek to do the Work through a new RFP or by other means.

### 3.0 COST SUMMARY

- 3.1 SUBMISSION The Cost Summary shall be submitted with the Proposal (under separate cover labeled as the Cost Proposal). All prices, costs, and conditions outlined in the Proposal shall remain fixed and valid for acceptance for 120 days, starting on the due date for Proposals. No price change shall be effective without prior written consent from DAS, Office of Procurement Services.

The Offeror's total cost for the entire Work must be represented as the Total Project Cost. All costs for furnishing the services must be included in the Cost Proposal.

- 3.2 THE OFFEROR'S FEE STRUCTURE The Contractor will be paid as proposed on the Cost Summary after the Agency approves the receipt of product(s)/services and continued completion of all deliverables. All costs must be in U.S. Dollars.
- 3.3 REIMBURSABLE EXPENSES None; there will be no additional reimbursement for travel or other related expenses. The State will not be responsible for any costs not identified.

### 3.4 BILL TO ADDRESS

Ohio Department of Education  
Office of Educator Equity and Talent  
25 South Front Street  
Columbus, OH 43215

All invoices must be submitted via email to: [Fiscal.management@education.ohio.gov](mailto:Fiscal.management@education.ohio.gov)

- 3.5 IDENTIFICATION OF OHIO CERTIFIED MBE SUBCONTRACTOR AND CONTRACTOR SELECTED PERCENTAGE. If offered, the Offeror's proposal must include an Ohio certified MBE subcontractor plan (Plan). The Plan must (a) state the specific percentage of the cost of the Work that it will set aside for Ohio certified MBE subcontractors only; (b) include a description of a competitive process used for the selection of Ohio certified MBE subcontractors to which only Ohio certified MBEs responded; and (c) identification of proposed portions of the Work to be performed by Ohio certified MBE subcontractors.

- 3.6 TRACKING. The Offeror shall indicate on all invoices submitted to the Agency the dollar amount attributed to the Work provided by the selected Ohio certified MBE subcontractors along with documentation of the Ohio certified MBE subcontractor's activities. Offeror shall report all Ohio certified MBE subcontractor payments under this Contract monthly to the Agency. Compliance with Offeror's proposed cost set-aside percentage is a term of this contract and failure to attain the proposed percentage by the expiration of the contract may result in the Offeror being found in breach of contract.

### 3.7 REMEDIES

3.7.1 MODIFICATION OR WAIVER. Offeror may apply in writing to the Agency, on a form prescribed by DAS, for a waiver or modification of its proposed MBE set-aside cost percentage. However, no modification or waiver request may be submitted before at least thirty percent (30%) of the Work is completed or after eighty percent (80%) of the work is completed. Offeror shall submit evidence acceptable to the Agency demonstrating that Offeror made a good faith effort to seek Ohio certified MBE subcontractors, in order to justify the granting of a waiver or modification. Within 30 days of receipt of the request, the Agency will determine whether the Offeror's good faith efforts and submitted documentation justify the granting of a waiver or modification. If a waiver or modification is denied, Offeror will have an opportunity to attain the percentage before the completion of the work. Compliance with any modified cost set-aside percentage is a term of this contract and failure to attain the percentage by the expiration of the contract may result in the Offeror being found in breach of contract.

3.7.2 FEE AT RISK. Compliance with Offeror's proposed cost MBE set-aside percentage is a term of this contract. Contractor agrees to place five percent (5%) of its payment at risk for failure to attain the cost MBE set-aside percentage by the expiration of the contract.

Ohio Teacher Incentive Fund: Teacher Leadership Endorsement Program  
CSP903615  
UNSPSC CATEGORY CODE: 86000000

OFFEROR: \_\_\_\_\_

Description	Cost
Delivery of three (3) college credit courses, for a total of nine (9) semester hours for 148 Ohio TIF Educators across 13 districts to obtain the teacher leadership endorsement on individual educator's license.	
Total Cost	\$
Cost per Educator taking a course (not used in evaluation)	\$

All Offerors who seek to be considered for a contract award must submit the above information in the format specified. The Original Cost Summary must be included in a separate, sealed envelope/package labeled on the exterior as "Cost Proposal" with the RFP Number and due date.

#### 4.0 AWARD OF THE CONTRACT

- 4.1 CONTRACT AWARD DAS intends to award the Contract based on the schedule in the RFP, if DAS decides the Work is in the best interests of the State and has not changed the award date.

DAS expects the Contractor to commence the Work upon receipt of a state issued purchase order. If DAS awards a Contract pursuant to this RFP and the Contractor is unable or unwilling to commence the Work, DAS reserves the right to cancel the Contract and return to the original RFP process and evaluate any remaining Offeror's Proposals reasonably susceptible of being selected for award of the Contract. The evaluation process will resume with the next highest ranking, viable Proposal.

- 4.2 CONTRACT If this RFP results in a Contract award, the Contract will consist of this RFP including the Terms and Conditions, all forms, written addenda to this RFP, the Contractor's accepted Proposal and written authorized addenda to the Contractor's Proposal. It will also include any materials incorporated by reference in the above documents and any purchase orders and amendments issued under the Contract. The general terms and conditions for the Contract are contained in the following link:

<https://procure.ohio.gov/Zip/5.3%20Terms%20and%20Conditions.pdf>

If there are conflicting provisions between the documents that make up the Contract, the order of precedence for the documents is as follows:

1. The one-page Contract Signature Page, Form 5.2.2
2. The RFP, as addended, including the Terms and Conditions;
3. The documents and materials incorporated by reference in the RFP;
4. The Executive Order. EO2011-12K incorporated by reference in the RFP;
5. The Contractor's Proposal, as amended, clarified, and accepted by the State; and
6. The documents and materials incorporated by reference in the Contractor's Proposal.

Notwithstanding the order listed above, amendments issued after the Contract is executed may expressly change the provisions of the Contract. If they do so expressly, then the most recent amendment will take precedence over anything else that is part of the Contract.

- 4.3 ECONOMIC PRICE ADJUSTMENT The Contract prices(s) will remain firm throughout the initial term of the Contract. Thereafter, prior to Contract renewal, the Contractor may submit a request to adjust their price(s) to be effective on the effective date of the Contract's renewal. No price adjustment will be permitted prior to the effective date; on purchase orders that are already being processed; or on purchase orders that have been filled.

Price increases must be supported by a general price increase in the cost of the materials/services rendered due to documented increases in the cost of related materials/services. Detailed documentation, to include a comparison list of the Contract items and proposed price adjustments must be submitted to support the requested adjustment. Supportive documentation should include, but is not limited to: copies of the old and the current price lists or similar documents which indicate the original base cost of the product to the Contractor and the corresponding adjustment, and/or copies of correspondence sent by the Contractor's supplier on the supplier's letterhead, which contain the above price information and explains the source of the adjusted costs in such areas as raw materials, freight, fuel or labor, etc.

Should there be a decrease in the cost of the finished product due to a general decline in the market or some other factor, the Contractor is responsible to notify DAS immediately. The price decrease adjustment will be incorporated into the Contract and will be effective on all purchase orders issued after the effective date of the decrease. If the price decrease is a temporary decrease, such should be noted on the invoice. In the event that the temporary decrease is revoked, the Contract pricing will be returned to the pricing in effect prior to the temporary decrease. Failure to comply with this provision will be considered as a default and will be subject to the Suspension and Termination section contained herein.

- 4.4 SPECIAL PROVISIONS Not applicable.

5.0 LINKS To be applicable to all Proposals and subsequent award(s), including sections named below.

5.1 Instructions

- 5.1.1 Proposal Instructions
- 5.1.2 Inquiries
- 5.1.3 Protests
- 5.1.4 Addenda to the RFP
- 5.1.5 Proposal Submittal
- 5.1.6 Confidential, Proprietary or Trade Secret Information
- 5.1.7 Waiver of Defects
- 5.1.8 Multiple or Alternate Proposals
- 5.1.9 Addenda to Proposals
- 5.1.10 Proposal Format
- 5.1.11 Evaluation of Proposals
- 5.1.12 Proposal Format and Documentation Required

5.2 Forms

- 5.2.1 Offeror Required Information
- 5.2.2 Contract Signature Page
- 5.2.3 Offeror Profile
- 5.2.4 Offeror Prior Projects
- 5.2.5 Offeror's Candidate References
- 5.2.6 Offeror's Candidate Education, Training, Experience
- 5.2.7 Offeror Performance Form
- 5.2.8 Contractor/Subcontractor Affirmation and Disclosure

5.3 Terms and Conditions

- 5.3.1 Performance and Payment
- 5.3.2 Work and Contract Administration
- 5.3.3 Ownership & Handling of Intellectual Property & Confidential Information
- 5.3.4 Representations, Warranties and Liabilities
- 5.3.5 Acceptance and Maintenance
- 5.3.6 Construction
- 5.3.7 Law & Courts

5.4 ADDITIONAL RESOURCES

EOD Reporting	<a href="http://eodreporting.oit.ohio.gov/searchEODReporting.aspx">http://eodreporting.oit.ohio.gov/searchEODReporting.aspx</a>
Office of Budget and Management	<a href="http://obm.ohio.gov/LandingPages/Vendor/default.aspx">http://obm.ohio.gov/LandingPages/Vendor/default.aspx</a>
Office of Procurement Services	<a href="http://procure.ohio.gov/proc/index.asp">http://procure.ohio.gov/proc/index.asp</a>
Ohio Shared Services	<a href="http://www.ohiosharedservices.ohio.gov/Home.aspx">http://www.ohiosharedservices.ohio.gov/Home.aspx</a>
Ohio Business Gateway	<a href="http://business.ohio.gov/">http://business.ohio.gov/</a>
Ohio Secretary of State	<a href="http://www.sos.state.oh.us/SOS/Businesses.aspx">http://www.sos.state.oh.us/SOS/Businesses.aspx</a>

All links are subject to change in accordance with state of Ohio laws, Ohio Revised Code, Ohio Administrative Code, Executive Orders or any other updates issued by the state of Ohio, Department of Administrative Services, and the Office of Procurement Services. It is the Offeror's responsibility to read and be aware of any changes, corrections, updates or deletions to any information included in the link(s) above.

- 6.0 Guide for Proposal Submission This guide outlines steps for submission of a Proposal in response to the advertised Request for Proposal. This guide does not contain the complete instructions for preparing and submitting a Proposal and anything stated herein shall not be considered a term or condition of the Contract. The complete instructions can be found in section 5.1.1, Proposal Instructions.
- 6.1 \_\_\_\_\_ Read the entire document, including all Web site links. Note critical items such as: Mandatory Requirements; goods or services required, submittal date and time; number of copies to submit; contract requirements; reporting requirements; minimum qualifications; read and understand the terms and conditions.
  - 6.2 \_\_\_\_\_ Take advantage of the “question and answer” period specified in the schedule of events. Questions must be submitted on-line in the Inquiry Process as explained in the Instructions. See section 5.1.1, Proposal Instructions.
  - 6.3 \_\_\_\_\_ Follow the format required in the RFP Instructions when preparing the response in chronological order. Provide point-by-point responses to all sections in a clear and concise manner. See section 5.1.3, Proposal Format & Documentation Required.
  - 6.4 \_\_\_\_\_ Use the forms provided; i.e. Signed RFP Cover Page, Offeror Required Information, Contract Signature Page, Offeror Profile and Prior Projects, Key Personnel forms, Disclosure Form, and Cost Summary Form, See section 5.2, Forms.
  - 6.5 \_\_\_\_\_ Provide complete answers/descriptions. Do not assume the State or any evaluation committee member will know what the Offeror’s capabilities are or what items/services the Offeror can provide, even if previously contracted with the State. The Proposals are evaluated based solely on the information and materials provided in the Offeror’s response.
  - 6.6 \_\_\_\_\_ Check the State’s Web site for RFP addenda. It is the responsibility of the Offeror to be aware of additional information posted on the Web.
  - 6.7 \_\_\_\_\_ The following documents may be submitted with the Proposal or within five (5) business days of request from the Office of Procurement Services: Affirmative Action and proof of insurance. No award will be made without this documentation. Offeror’s Proposal may be eliminated from further consideration upon failure to submit within the specified time frame
  - 6.8 \_\_\_\_\_ If not a current vendor of the state of Ohio, the Offeror will download both the W-9 and Vendor Information Form and submit to Ohio Shared Services (OSS) at vendor@ohio.gov. See section 5.4, Additional Resources.
  - 6.9 \_\_\_\_\_ Review and read the RFP Document again to make sure that you have addressed all requirements. Read and understand Supplements, if applicable. Offeror’s original response and the requested copies must be identical and be complete. The copies are provided to the evaluation committee members and used to score the response.
  - 6.10 \_\_\_\_\_ Offeror’s response must be submitted on time. Late Proposals are never accepted. Make sure the response is labeled on the exterior of the envelope/package with the RFP# and due date, and whether the packet is for the Technical Proposal or the Cost Proposal. Do not place the Cost Proposal in the Technical Proposal.

