

## REQUEST FOR PROPOSALS

**RFP NUMBER:** CSP904911  
**INDEX NUMBER:** EDU089  
**UNSPSC CATEGORY:** 80000000 (Mgmt. & Bus. Prof. & Admin. Svcs.)  
80100000 (Mgmt. Advisory Svcs.)  
86000000 (Ed. & Training Svcs.)

The state of Ohio, through the Department of Administrative Services, Office of Procurement Services, for the Ohio Department of Education (ODE), is requesting proposals for the:

## OHIO PERFORMANCE ASSESSMENT PILOT PROGRAM (OPAPP) RACE TO THE TOP - (RttT)

**RFP ISSUED:** May 11, 2011  
**INQUIRY PERIOD BEGINS:** May 11, 2011  
**INQUIRY PERIOD ENDS:** May 25, 2011 at 8:00 a.m.  
**PROPOSAL DUE DATE:** June 8, 2011 by 1:00 p.m.

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

**OPENING LOCATION:** Department of Administrative Services  
Office of Procurement Services  
ATTN: Bid Desk  
4200 Surface Rd.  
Columbus, OH 43228-1395

Offerors must note that all proposals and other material submitted will become the property of the state and may be returned only at the state's option. Proprietary information should not be included in a proposal or supporting materials because the state will have the right to use any materials or ideas submitted in any proposal without compensation to the offeror. Additionally, all proposals will be open to the public after the award of the contract has been posted on the State Procurement Web site. Refer to the Ohio Administrative Code, Section 123:5-1-08 (E).

CONTRACT TERMS AND CONDITIONS. The [RFP Terms and Conditions](#) are a part of the Request for Proposals. Please ensure you download a complete copy and agree to comply with the terms as written.

**This RFP consists of five (5) parts, ten (10) attachments, and one (1) supplement, totaling 47 consecutively numbered pages. Please verify that you have a complete copy.**

## PART ONE: EXECUTIVE SUMMARY

**PURPOSE.** 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 (ODE) (the Agency), is soliciting competitive sealed proposals (Proposals) for the Ohio Performance Assessment Pilot Program (RttT), and this RFP is the result of that request. 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 also gives the estimated dates for the various events in the submission process, selection process, and performance of the Work. While these dates are subject to change, prospective Offerors must be prepared to meet them as they currently stand.

Once awarded, the term of the Contract will be from the award date through August 31, 2014. The State may solely renew this Contract at the discretion of DAS for a period of one (1) month. Any further renewals will be by mutual agreement between the Contractor and DAS for any number of times and for any period of time. The cumulative time of all mutual renewals may not exceed one (1) year and are subject to and contingent upon the discretionary decision of the Ohio General Assembly to appropriate funds for this Contract in each new biennium. DAS may renew all or part of this Contract subject to the satisfactory performance of the Contractor and the needs of the Agency.

Any failure to meet a deadline in the submission or evaluation phases and any objection to the dates for performance of the Project may result in DAS refusing to consider the Proposal of the Offeror.

**BACKGROUND.** Through Race to the Top funds, Ohio will build on what has been accomplished in the first phase of the Ohio Performance Assessment Pilot Program and include the piloting of new assessment products. These new products shall be aligned to the Common Core Standards in Mathematics and English Language Arts (ELA), as well as Ohio's New Revised State Standards in Science and Social Studies for both high school (grades 9 through 12) and elementary school (grades 3 through 5). In addition, these new products shall be informed by the types of performance tasks that the two (2) national assessment consortia are planning to use in their assessment systems. Finally, there is a significant professional development component to this next phase of Ohio Performance Assessment Pilot Program (OPAPP), which will involve training teachers to write performance tasks and to use a generalized rubric to guide student feedback.

The intent of the Program resulting from this RFP is to begin a second phase of the pilot project to investigate the use of performance tasks in Ohio classrooms as assessment tools, recruit pilot schools, train participating teachers, pilot two (2) scoring systems (moderation panels and individual teacher scoring), pilot an on-line task delivery, retrieval and storage system, and field test Ohio's Learning-Assessment dyad model of performance tasks. Because the learning performance tasks will be used in the classroom as formative tools this work shall complement the work being done in Ohio's formative assessment pilot program for middle schools.

**OBJECTIVES.** DAS has the following objectives that it wants this Work to fulfill, and it will be the Contractor's obligation to ensure that the personnel the Contractor provides are qualified to perform their portions of the Work.

The objective of this Pilot Program is to develop and pilot test a learning and assessment task assessment system (as defined in the Ohio performance task dyad system) for elementary and high school students that align to the Common Core Standards for ELA and Mathematics as well as Ohio's New Revised State Standards in Science, Social Studies and Career Technical Pathways. The intended outcome of the Pilot is to end up with a suite of field-tested performance tasks that could be used in classrooms for both formative and summative assessment purposes and a system of development, scoring, and delivery of both the tasks and the associated professional development that is sustained by a source independent of the State.

In summary, the Contractor shall:

1. Develop and validate, with the State, a task specifications document that includes a format for the tasks as well as parameters for the required parts of the tasks.
2. Develop and implement, with the State, external review committees to be used for task development (e.g., a Fairness Committee and a Content Committee).
3. Develop, co-develop, and submit for review Learning and Assessment tasks aligned to the Common Core and New State Standards in ELA, Mathematics, Science and Social Studies. The review process shall include an internal review where revisions can be made as well as an external review where revisions can be made. The Contractor shall make the revisions that ODE approves.

4. Identify a platform that will allow for electronic delivery and retrieval of both the learning and assessment tasks.
5. Develop and implement a central moderation panel and several regional moderation panels.
6. Develop and implement a reporting system for reporting student scores on the assessment tasks.
7. Develop, in collaboration with the State, a program for involving experts from institutions of higher education (both in specific content areas and in education/pedagogy).
8. Develop and provide professional development for teachers on how to use the learning tasks and generalized rubrics to guide feedback that teachers will give to students.
9. Develop and provide professional development for teachers on how to score the assessment tasks using task-specific rubrics.
10. Develop and provide professional development for teachers on how to construct performance tasks.
11. Develop, in collaboration with the State, a program for coaches that includes their roles and responsibilities for the Pilot.
12. Develop a plan for, and schedule of participant (teachers, coaches, and experts) activities, each semester.
13. Conduct an evaluation of psychometric considerations.
14. Collaborate with a business partner, identified by the State, who will provide sustained support for the system developed.
15. Prepare, provide, present and/or submit annual USDOE, ODE, and DAS project reporting requirements.
16. Ensure the Project is implemented, executed, and transitioned successfully.

RESOURCES. Informational resources are available to prospective Offerors at the following link(s) and URL addresses:

1. The ODE's home page:  
<http://www.ode.state.oh.us>
2. The OPAPP Web site:  
<http://education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=9&ContentID=61383&Content=103690>
3. Ohio State Board adopted standards:
  - a. English Language Arts Common Core State Standards:  
<http://www.corestandards.org/the-standards/english-language-arts-standards>
  - b. Mathematics Common Core State Standards:  
<http://www.corestandards.org/the-standards/mathematics>
  - c. Social Studies Revised State Standards:  
<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=1706&ContentID=76598&Content=102756>
  - d. Science Revised State Standards:  
<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=1705&ContentID=76585&Content=103133>
4. [RFP Terms and Conditions.](#)

QUALIFIED APPLICANTS. Qualified Offerors must meet the Mandatory Requirements in Table 1, documenting their commitment to meet the Mandatory Requirements in the Cover Letter portion of the Proposal as well as more in depth documentation of qualifications in the Offeror Profile tab of the Proposal (see Attachment 4) to document qualifications. The form must be filled out completely, in typed form. The form may be recreated electronically, but all fields and formats must be retained. Failure to recreate the form accurately may lead to the rejection of the Offeror's Proposal. Also, failure to respond to all information requested on the form may lead to the rejection of the Offeror's Proposal.

Specifically, Offerors must:

1. Have experience in developing performance tasks, provide a set of sample tasks as part of their Proposal, and be willing and able to develop the types of tasks identified in this RFP.
2. Have experience in delivering successful professional development to teachers and experts from institutions of higher education (IHEs) in all content areas.
3. Provide evidence of an on-line task delivery, retrieval, and storage system to use in the Pilot Program.
4. Be based in Ohio or agree to partner with an Ohio-based contractor or institution, to help achieve the goal of building capacity within Ohio.
5. Have experience working with teachers and educators from IHEs to be able to successfully execute the tasks outlined in this RFP.

CALENDAR OF EVENTS. The schedule for the Project is given below, and is subject to change. DAS may change this schedule at any time. If DAS changes the schedule before the Proposal due date, it will do so through an announcement on the State Procurement Web site area for this RFP. The Web site announcement will be followed by an addendum to this RFP, also available through the State Procurement Web site. After the Proposal due date and before the award of the Contract, DAS will make scheduled changes through the RFP addendum process. DAS will make changes in the Project schedule after the Contract award through the change order provisions located in the [general terms and conditions](#) of the Contract. It is each prospective Offeror's responsibility to check the Web site question and answer area for this RFP for current information regarding this RFP and its calendar of events through award of the Contract. No contact shall be made with agency/program staff until contract award is announced.

DATES:

Firm Dates

RFP Issued:	May 11 2011
Inquiry Period Begins:	May 11, 2011
Inquiry Period Ends:	May 25, 2011, at 8:00 a.m.
Proposal Due Date:	June 8, 2011, by 1:00 p.m.

Estimated Dates

Contract Award Notification:	June 30, 2011
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NOTE: These dates are subject to change.

There are references in this RFP to the Proposal due date. Prospective Offerors must assume, unless it is clearly stated to the contrary, that any such reference means the date and time (Columbus, OH local time) that the Proposals are due.

Proposals received after 1:00 p.m. on the due date will not be evaluated.

PART TWO: STRUCTURE OF THIS RFP

ORGANIZATION. This RFP is organized into five (5) parts, ten (10) attachments, and one (1) supplement. The parts and attachments are listed below.

PARTS:

Part One	Executive Summary
Part Two	Structure of this RFP
Part Three	General Instructions
Part Four	Evaluation of Proposals
Part Five	Award of the Contract

ATTACHMENTS:

Attachment One	Work Requirements and Special Provisions
Part One	Work Requirements
Part Two	Special Provisions
Attachment Two	Requirements for Proposals
Attachment Three	Contract
Attachment Four	Offeror Profile Form
Attachment Five	Offeror Reference Form
Attachment Six	Offeror's Candidate Form
Attachment Seven	Offeror Performance Form
Attachment Eight	Standard Affirmation and Disclosure Form
Attachment Nine	Shipping Labels
Attachment Ten	Cost Summary Form

SUPPLEMENTS:

Supplement One	Supplemental Terms and Conditions for Projects Funded in Whole or in Part with Moneys from the American Recovery and Reinvestment Act of 2009 (ARRA)
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PART THREE: GENERAL INSTRUCTIONS

The following sections provide details on how to get more information about this RFP and how to respond to this RFP. All responses must be complete and in the prescribed format.

CONTACTS. The following person will represent DAS:

Dana L. King, CPPB  
Ohio Department of Administrative Services  
Office of Procurement Services  
4200 Surface Road  
Columbus, OH 43228-1395

During the performance of the Work, a State representative (the "Agency Project Representative") will represent the Agency and be the primary contact for matters relating to the Work. The Agency Project Representative will be designated in writing after the Contract award.

INQUIRIES. Offerors may make inquiries regarding this RFP any time during the inquiry period listed in the Calendar of Events. To make an inquiry, Offerors must use the following process:

1. Access the State Procurement Web site at <http://www.ohio.gov/procure>.
2. From the Navigation Bar on the left, select "Find It Fast".
3. Select "Doc/Bid/Schedule #" as the Type.
4. Enter the RFP Number found on Page 1 of the document. (RFP numbers begin with the letters "CSP")
5. Click "Find It Fast" button.
6. On the document information page, click "Submit Inquiry".
7. On the document inquiry page, complete the required "Personal Information" section by providing:
  - a. First and last name of the prospective Offeror's representative who is responsible for the inquiry.
  - b. Name of the prospective Offeror.
  - c. Representative's business phone number.
  - d. Representative's e-mail address.
8. Type the inquiry in the space provided including:
  - a. A reference to the relevant part of this RFP.
  - b. The heading for the provision under question.
  - c. The page number of the RFP where the provision can be found.
9. Click the "Submit" button.

Offerors submitting inquiries will receive an immediate acknowledgement that their inquiry has been received as well as an e-mail acknowledging receipt of the inquiry. Offerors will not receive a personalized e-mail response to their question, nor will they receive notification when the question has been answered.

Offerors may view inquiries and responses using the following process:

1. Access the State Procurement Web site at <http://www.ohio.gov/procure>.
2. From the Navigation Bar on the left, select "Find It Fast".
3. Select "Doc/Bid/Schedule #" as the Type.
4. Enter the RFP Number found on Page 1 of the document. (RFP numbers begin with the letters "CSP")
5. Click "Find It Fast" button.
6. On the document information page, click the "View Q & A" button to display all inquiries with responses submitted to date.

DAS will try to respond to all inquiries within 48 hours of receipt, excluding weekends and State holidays. DAS will not respond to any inquiries received after 8:00 a.m. on the inquiry end date.

Offerors are to base their RFP responses, and the details and costs of their proposed projects, on the requirements and performance expectations established in this RFP for the future contract, not on details of any other potentially related contract or project. If Offerors ask questions about existing or past contracts using the Internet Q&A process, DAS will use its discretion in deciding whether to provide answers as part of this RFP process.

DAS is under no obligation to acknowledge questions submitted through the Q&A process if those questions are not in accordance with these instructions or deadlines.

**PROTESTS.** Any Offeror that objects to the award of a Contract resulting from the issuance of this RFP may file a protest of the award of the Contract, or any other matter relating to the process of soliciting the Proposals. Such protest must comply with the following information:

1. The protest must be filed by a prospective or actual bidder objecting to the award of a Contract resulting from the RFP. The protest must be in writing and contain the following information:
  - a. The name, address, and telephone number of the protester;
  - b. The name and number of the RFP being protested;
  - c. A detailed statement of the legal and factual grounds for the protest, including copies of any relevant documents;
  - d. A request for a ruling by DAS;
  - e. A statement as to the form of relief requested from DAS; and
  - f. Any other information the protester believes to be essential to the determination of the factual and legal questions at issue in the written request.
2. A timely protest will be considered by DAS, on behalf of the agency, if it is received by the DAS Office of Procurement Services (OPS) within the following periods:
  - a. A protest based on alleged improprieties in the issuance of the RFP, or any other event preceding the closing date for receipt of proposals which are apparent or should be apparent prior to the closing date for receipt of proposals, must be filed no later than five (5) business days prior to the proposal due date.
  - b. If the protest relates to the recommendation of the evaluation committee for an award of the Contract, the protest must be filed as soon as practicable after the Offeror is notified of the decision by DAS regarding the Offeror's proposal.
3. An untimely protest may be considered by DAS at the discretion of DAS. An untimely protest is one received by the DAS OPS after the time periods set in paragraph 2 above. In addition to the information listed in paragraph 1, untimely protests must include an explanation of why the protest was not made within the required time frame.
4. All protests must be filed at the following location:

Department of Administrative Services  
Office of Procurement Services  
4200 Surface Road  
Columbus, OH 43228-1395

SUBJECT: (Insert RFP Number and Index Number)

This protest language only pertains to this RFP offering.

**ADDENDA TO THE RFP.** If DAS decides to revise this RFP before the Proposal due date, an addendum will be announced on the State Procurement Web site.

Offerors may view addenda using the following process:

1. Access the State Procurement Web site at <http://www.ohio.gov/procure>;
2. From the Navigation Bar on the left, select "Find It Fast";
3. Select "Doc/Bid/Schedule #" as the Type;
4. Enter the RFP Number found on Page 1 of the document (RFP numbers begin with the letters "CSP");
5. Click "Find It Fast" button;
6. On the document information page, click on the addendum number to display the addendum.

When an addendum to this RFP is necessary, DAS may extend the Proposal due date through an announcement on State Procurement Web site. Addenda announcements may be provided any time before 5:00 p.m. on the day before the Proposal is due. It is the responsibility of each prospective Offeror to check for announcements and other current information regarding this RFP.

After the submission of Proposals, addenda will be distributed only to those Offerors whose submissions are under active consideration. When DAS issues an addendum to the RFP after Proposals have been submitted, DAS will permit Offerors to withdraw their Proposals.

This withdrawal option will allow any Offeror to remove its Proposal from active consideration should the Offeror feel that the addendum changes the nature of the transaction to the extent that the Offeror's Proposal is no longer in its interests. Alternatively, DAS may allow Offerors that have Proposals under active consideration to modify their Proposals in response to the addendum, as described below.

Whenever DAS issues an addendum after the Proposal due date, DAS will tell all Offerors whose Proposals are under active consideration whether they have the option to modify their Proposals in response to the addendum. Any time DAS amends the RFP after the Proposal due date, an Offeror will have the option to withdraw its Proposal even if DAS permits modifications to the Proposals. If the Offerors are allowed to modify their Proposals, DAS may limit the nature and scope of the modifications. Unless otherwise stated in the notice by DAS, modifications and withdrawals must be made in writing and must be submitted within ten (10) business days after the addendum is issued. If this RFP provides for a negotiation phase, this procedure will not apply to changes negotiated during that phase. Withdrawals and modifications must be made in writing and submitted to DAS at the address and in the same manner required for the submission of the original Proposals. Any modification that is broader in scope than DAS has authorized may be rejected and treated as a withdrawal of the Offeror's Proposal.

**PROPOSAL SUBMITTAL.** Each Offeror must submit a Technical Proposal and a Cost Proposal as part of its Proposal package. Proposals must be submitted as two (2) separate components (Cost Proposal and Technical Proposal) in separate sealed envelopes/packages. Each Technical Proposal package must be clearly marked "CSP904911 OPAPP (RtT) RFP – Technical Proposal" on the outside of each Technical Proposal package's envelope. Each Cost Proposal package must be clearly marked "CSP904911 OPAPP (RtT) RFP – Cost Proposal" on the outside of each Cost Proposal package's envelope. Each Offeror must submit one (1) original, completed and signed in blue ink, and seven (7) copies for a total of eight (8) Proposal packages. Shipping labels, with the preferred labeling, are provided as Attachment Nine of this RFP.

The Offeror must also submit, in the sealed package, a complete copy of the Proposals on CD-ROM in Microsoft Office (Word, Excel, or Project) 2003 or higher, format and/or PDF format as appropriate. In the event there is a discrepancy between the hard copy and the electronic copy, the hard copy will be the official Proposal. Proposals are due no later than the proposal due date, at 1:00 p.m. Proposals submitted by e-mail or fax are not acceptable and will not be considered. Proposals must be submitted to:

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

DAS will reject any Proposals or unsolicited Proposal addenda that are received after the deadline. An Offeror that mails its Proposal must allow adequate mailing time to ensure its timely receipt. DAS recommends that Offerors submit proposals as early as possible. Proposals received prior to the deadline are stored, unopened, in a secured area until 1:00 p.m. on the due date. Offerors must also allow for potential delays due to increased security. DAS will reject late proposals regardless of the cause for the delay.

Each Offeror must carefully review the requirements of this RFP and the contents of its Proposal. Once opened, Proposals cannot be altered, except as allowed by this RFP.

By submitting a Proposal, the Offeror acknowledges that it has read this RFP, understands it, and agrees to be bound by its requirements. DAS is not responsible for the accuracy of any information regarding this RFP that was gathered through a source different from the inquiry process described in the RFP.

ORC Section 9.24 prohibits DAS from awarding a Contract to any Offeror(s) against whom the Auditor of State has issued a finding for recovery if the finding for recovery is "unresolved" at the time of award. By submitting a Proposal, the Offeror warrants that it is not now, and will not become subject to an "unresolved" finding for recovery under Section 9.24, prior to the award of a Contract arising out of this RFP, without notifying DAS of such finding. ORC Section 9.231 applies to this contract.

DAS may reject any Proposal if the Offeror takes exception to the , fails to comply with the procedure for participating in the RFP process, or the Offeror's Proposal fails to meet any requirement of this RFP. Any question asked during the inquiry period will not be viewed as an exception to the [RFP Terms and Conditions](#).

**CONFIDENTIAL INFORMATION.** DAS procures goods and services through a Request for Proposal (RFP), in a transparent manner. As such, the process to procure goods and services by DAS is open to inspection by the public. DAS makes available prices (offered and accepted), terms of payment, proposal materials, evaluation scores, product information, and other types of information DAS uses in evaluating and/or awarding the Contract. Further, the DAS will open for public inspection all proposals provided to the DAS in response to this RFP.

Therefore, an Offeror should not provide DAS with any information that the Offeror wishes the DAS not to provide to the public pursuant to a public request for such information. (Note: DAS will attempt to redact ancillary personal information such as social security numbers and Tax Identification Numbers from public inspection). Additionally, the Offeror must understand that all Proposals and other material submitted will become the property of the State and may be returned only at the State's option. Proprietary information should not be included in a Proposal or supporting materials because DAS will have the right to use any materials or ideas submitted in any Proposal without compensation to the Offeror.

However, if the Offeror chooses to include information it deems proprietary or trade secret information, the Offeror may designate such information as confidential and request that such information not be considered as public records and open for inspection. DAS shall review such requests provided the following:

1. The Offeror provides both an electronic copy and paper (hard) copies of the Proposal;
2. The Offeror clearly designates such information as confidential, proprietary, or trade secret, as appropriate at the time of Proposal submission;
3. The Offeror submits the designated material in a sealed container clearly marked "Confidential" and such material is readily separable from the Proposal; and
4. The Offeror redacts such information from the electronic copy of the Proposal.

DAS will review such information to determine whether the material is of such nature that confidentiality is warranted.

The decision as to whether such confidentiality is appropriate rests solely with DAS. If DAS determines that the information marked as confidential, trade secret, or proprietary, is not ancillary to the Proposal and that DAS needs such information in the evaluation of the proposal or that the information does not meet a statutory exception to disclosure, DAS will make the information available to the public. DAS will inform the Offeror, in writing, of the information DAS does not consider confidential for purposes of public disclosure.

Upon receipt of DAS' determination that all or some portion of the Offeror's designated information is not confidential, the Offeror may exercise the following options:

1. Withdraw the Offeror's entire Proposal;
2. Request that DAS evaluate the Proposal without certain information DAS deemed "public" (DAS will return such information to the Offeror); or
3. Withdraw the designation of confidentiality, trade secret, or proprietary information for such information and request DAS review the Proposal in its entirety.

Finally, if information submitted in the Proposal is not marked as "Confidential", it will be determined that the Offeror waived any right to assert such confidentiality.

DAS will retain all Proposals, or a copy of them, as part of the Contract file for at least ten (10) years. After the retention period, DAS may return, destroy, or otherwise dispose of the Proposals or the copies.

WAIVER OF DEFECTS. DAS may waive any defects in any Proposal or in the submission process followed by an Offeror. DAS will only do so if it believes that it is in the State's interests and will not cause any material unfairness to other Offerors.

MULTIPLE OR ALTERNATE PROPOSALS. DAS accepts multiple Proposals from a single Offeror, but DAS requires each such Proposal be submitted separately from every other Proposal the Offeror makes. Additionally, the Offeror must treat every Proposal submitted as a separate and distinct submission and include in each Proposal all materials, information, documentation, and other items this RFP requires for a Proposal to be complete and acceptable. No alternate Proposal may incorporate materials by reference from another Proposal made by the Offeror or refer to another Proposal. DAS will judge each alternate Proposal on its own merit.

ADDENDA TO PROPOSALS. Addenda or withdrawals of Proposals will be allowed only if the addendum or withdrawal is received before the Proposal due date. No addenda or withdrawals will be permitted after the due date, except as authorized by this RFP.

PROPOSAL INSTRUCTIONS. Each Proposal must be organized in an indexed binder ordered in the same manner as the response items are ordered in Attachment Two of this RFP.

DAS wants clear and concise Proposals. Offerors should, however, take care to completely answer questions and meet the RFP's requirements thoroughly. All Offerors, including current contract holders, if applicable, must provide detailed and complete responses as Proposal evaluations, and subsequent scores, are based solely on the content of the Proposal.

No assumptions will be made or values assigned for the competency of the Offeror whether or not the Offeror is a current or previous contract holder.

The requirements for the Proposal's contents and formatting are contained in an attachment to this RFP.

DAS will not be liable for any costs incurred by an Offeror in responding to this RFP, regardless of whether DAS awards the Contract through this process, decides not to go forward with the Project, cancels this RFP for any reason, or contracts for the Project through some other process or by issuing another RFP.

## PART FOUR: EVALUATION OF PROPOSALS

EVALUATION OF PROPOSALS. The evaluation process consists of, but is not limited to, the following steps:

1. Certification. DAS shall open only those proposals certified as timely by the Auditor of State.
2. Initial Review. DAS will review all certified Proposals for format and completeness. DAS normally rejects any incomplete or incorrectly formatted Proposal, though it may waive any defects or allow an Offeror to submit a correction. If the Offeror meets the formatting and mandatory requirements listed herein, the State will continue to evaluate the proposal.
3. Proposal Evaluation. The procurement representative responsible for this RFP will forward all timely, complete, and properly formatted Proposals to an evaluation committee, which the procurement representative will chair. The evaluation committee will rate the Proposals submitted in response to this RFP based on criteria and weight assigned to each criterion.

The evaluation committee will evaluate and numerically score each Proposal that the procurement representative has determined to be responsive to the requirements of this RFP. The evaluation will be according to the criteria contained in this Part of the RFP. An attachment to this RFP may further refine these criteria, and DAS has a right to break these criteria into components and weight any components of a criterion according to their perceived importance.

The committee may also have the Proposals or portions of them reviewed and evaluated by independent third parties or various State personnel with technical or professional experience that relates to the Work or to a criterion in the evaluation process. The committee may also seek reviews of end users of the Work or the advice or evaluations of various State committees that have subject matter expertise or an interest in the Work. In seeking such reviews, evaluations, and advice, the committee will first decide how to incorporate the results in the scoring of the Proposals. The committee may adopt or reject any recommendations it receives from such reviews and evaluations.

The evaluation will result in a point total being calculated for each Proposal. At the sole discretion of DAS, any Proposal, in which the Offeror received a significant number of zeros for sections in the technical portions of the evaluation, may be rejected.

DAS will document all major decisions in writing and make these a part of the Contract file along with the evaluation results for each Proposal considered.

4. Clarifications & Corrections. During the evaluation process, DAS may request clarifications from any Offeror under active consideration and may give any Offeror the opportunity to correct defects in its Proposal if DAS believes doing so does not result in an unfair advantage for the Offeror and it is in the State's best interests. Any clarification response that is broader in scope than what DAS has requested may result in the Offeror's proposal being disqualified.
5. Interviews, Demonstrations, and Presentations. DAS may require top Offerors to be interviewed. Such presentations, demonstrations, and interviews will provide an Offeror with an opportunity to clarify its Proposal and to ensure a mutual understanding of the Proposal's content. This will also allow DAS an opportunity to test or probe the professionalism, qualifications, skills, and work knowledge of the proposed candidates. The presentations, demonstrations, and interviews will be scheduled at the convenience and discretion of DAS. DAS may record any presentations, demonstrations, and interviews. No more than the top three (3) Proposals may be requested to present an oral presentation of their proposed Work Plan to the committee.
6. Contract Negotiations. Negotiations will be scheduled at the convenience of DAS. The selected Offeror(s) are expected to negotiate in good faith.
  - a. General. Negotiations may be conducted with any Offeror who submits a competitive Proposal, but DAS may limit discussions to specific aspects of the RFP. Any clarifications, corrections, or negotiated revisions that may occur during the negotiations phase will be reduced to writing and incorporated in the RFP, or the Offeror's Proposal, as appropriate. Negotiated changes that are reduced to writing will become a part of the Contract file open to inspection to the public upon award of the Contract. Any Offeror whose response continues to be competitive will be accorded fair and equal treatment with respect to any clarification, correction, or revision of the RFP and will be given the opportunity to negotiate revisions to its Proposal based on the amended RFP.
  - b. Top-ranked Offeror. Should the evaluation process have resulted in a top-ranked Proposal, DAS may limit negotiations to only that Offeror and not hold negotiations with any lower-ranking Offeror. If negotiations are unsuccessful with the top-ranked Offeror, DAS may then go down the line of remaining Offerors, according to rank, and negotiate with the next highest-ranking Offeror. Lower-ranking Offerors do not have a right to participate in negotiations conducted in such a manner.

- c. Negotiation with Other Offerors. If DAS decides to negotiate with all the remaining Offerors, or decides that negotiations with the top-ranked Offeror are not satisfactory and negotiates with one or more of the lower-ranking Offerors, DAS will then determine if an adjustment in the ranking of the remaining Offerors is appropriate based on the negotiations. The Contract award, if any, will then be based on the final ranking of Offerors, as adjusted.

Negotiation techniques that reveal one Offeror's price to another or disclose any other material information derived from competing Proposals are prohibited. Any oral modification of a Proposal will be reduced to writing by the Offeror as described below.

- d. Post Negotiation. Following negotiations, DAS may set a date and time for the submission of best and final Proposals by the remaining Offeror(s) with which DAS conducted negotiations. If negotiations were limited and all changes were reduced to signed writings during negotiations, DAS need not require the submissions of best and final Proposals.

It is entirely within the discretion of DAS whether to permit negotiations. An Offeror must not submit a Proposal assuming that there will be an opportunity to negotiate any aspect of the Proposal. DAS is free to limit negotiations to particular aspects of any Proposal, to limit the Offerors with whom DAS wants to negotiate, and to dispense with negotiations entirely.

DAS generally will not rank negotiations. The negotiations will normally be held to correct deficiencies in the preferred Offeror's Proposal. If negotiations fail with the preferred Offeror, DAS may negotiate with the next Offeror in ranking. Alternatively, DAS may decide that it is in the interests of the State to negotiate with all the remaining Offerors to determine if negotiations lead to an adjustment in the ranking of the remaining Offerors.

From the opening of the Proposals to the award of the Contract, everyone working on behalf of the State to evaluate the Proposals will seek to limit access to information contained in the Proposals solely to those people with a need to know the information. They will also seek to keep this information away from other Offerors, and the evaluation committee will not be allowed to tell one Offeror about the contents of another Offeror's Proposal in order to gain a negotiating advantage.

Before the award of the Contract or cancellation of the RFP, any Offeror that seeks to gain access to the contents of another Offeror's Proposal may be disqualified from further consideration.

The written changes will be drafted and signed by the Offeror and submitted to DAS within a reasonable period of time. If DAS accepts the change, DAS will give the Offeror written notice of DAS' acceptance. The negotiated changes to the successful offer will become a part of the Contract.

- e. Failure to Negotiate. If an Offeror fails to provide the necessary information for negotiations in a timely manner, or fails to negotiate in good faith, DAS may terminate negotiations with that Offeror and collect on the Offeror's proposal bond, if a proposal bond was required in order to respond to this RFP.
7. Best and Final Offer. If best and final proposals, or best and final offers (BAFOs), are required, they may be submitted only once; unless DAS makes a determination that it is in the State's interest to conduct additional negotiations. In such cases, DAS may require another submission of best and final proposals. Otherwise, discussion of or changes in the best and final proposals will not be allowed. If an Offeror does not submit a best and final proposal, the Offeror's previous Proposal will be considered the Offeror's best and final proposal.
8. Determination of Responsibility. DAS may review the highest-ranking Offerors or its key team members to ensure that the Offeror is responsible. The Contract may not be awarded to an Offeror that is determined not to be responsible. DAS' determination of an Offeror's responsibility may include the following factors: the experience of the Offeror and its key team members; past conduct and past performance on previous contracts; ability to execute this contract properly; and management skill. DAS will make such determination of responsibility based on the Offeror's Proposal, reference evaluations, and any other information DAS requests or determines to be relevant.
9. Reference Checks. DAS may conduct reference checks to verify and validate the Offeror's or proposed candidate's past performance. Reference checks indicating poor or failed performance by the Offeror or proposed candidate may be cause for rejection of the proposal. In addition, failure to provide requested reference contact information may result in DAS not including the referenced experience in the evaluation process.

The reference evaluation will measure the criteria contained in this part of the RFP as it relates to the Offeror's previous contract performance including, but not limited to, its performance with other local, state, and federal entities. DAS reserves the right to check references other than those provided in the Offeror's Proposal. DAS may obtain information relevant to criteria in this part of the RFP, which is deemed critical to not only the successful operation and management of the Project, but also the working relationship between the State and the Offeror.

**FINANCIAL ABILITY.** Part of the Proposal evaluation criteria is the qualifications of the Offeror which include, as a component, the Offeror's financial ability to perform the Contract. This RFP may expressly require the submission of financial statements from all Offerors in the Proposal contents attachment. If the Proposal contents attachment does not make this an expressed requirement, DAS may still insist that an Offeror submit audited financial statements for up to the past three (3) years if DAS is concerned that an Offeror may not have the financial ability to carry out the Contract.

In evaluating an Offeror's financial ability, the weight DAS assigns, if any, to that financial ability will depend on whether the Offeror's financial position is adequate or inadequate. That is, if the Offeror's financial ability is adequate, the value assigned to the Offeror's relative financial ability in relation to other Offerors may or may not be significant, depending on the nature of the Work. If DAS believes the Offeror's financial ability is not adequate, DAS may reject the Proposal despite its other merits.

DAS will decide which phases are necessary. DAS has the right to eliminate or add phases at any time in the evaluation process.

To maintain fairness in the evaluation process, all information sought by DAS will be obtained in a manner such that no Offeror is provided an unfair competitive advantage.

**MANDATORY REQUIREMENTS.** The following Table 1 contains items that are considered minimum requirements for this RFP.

Determining the Offeror's ability to meet the minimum requirements is the first step of the DAS evaluation process. The Offeror must demonstrate, to DAS, it meets all minimum requirements listed in the Mandatory Requirements section (Table 1). The Offeror's response to the minimum requirements must be clearly labeled "Mandatory Requirements" and collectively contained in Tab 1 of the Offeror's Proposal in the "Cover Letter and Mandatory Requirements" section. (Refer to Attachment Two of the RFP document for additional instructions.)

**TABLE 1 - MANDATORY PROPOSAL REQUIREMENTS**

MANDATORY REQUIREMENTS	ACCEPT	REJECT
The Offeror has presented data and/or documentation which demonstrates they meet the following qualifications:		
1. They provide evidence of experience in developing performance tasks, provide a set of sample tasks as part of their Proposal, and are willing and able to develop the types of tasks identified in this RFP.		
2. They provide evidence of experience and success in delivering professional development to educators.		
3. They provide evidence of an on-line task delivery, retrieval, and storage system to use in the Pilot Program.		
4. They provide evidence of being Ohio-based or state they are willing to partner with an Ohio-based contractor or institution.		
5. They provide evidence of experience working with teachers and educators from IHEs.		

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

PROPOSAL EVALUATION CRITERIA. If the Offeror provides sufficient information to DAS, in Tab 1, of its proposal, demonstrating it meets the Mandatory Requirements, the Offeror's Proposal will be included in the next part of the evaluation process which involves the scoring of the Proposal Technical Requirements, followed by the scoring of the Cost Proposals. In the Proposal evaluation phase, DAS rates the Proposals submitted in response to this RFP 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.

TABLE 2 - SCORING BREAKDOWN

Criteria	Maximum Allowable Points
Proposal Technical Requirements	1375 Points
Proposal Cost	345 Points
Total	1720 Points

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.

**TABLE 3 - TECHNICAL PROPOSAL EVALUATION**

CRITERION	WEIGHT	RATING (0=DOES NOT MEET TO 5=STRONG)	EXTENDED SCORE
<b>OFFEROR PROFILE</b>			
The Offeror demonstrates a clear understanding of the Project requirements and proposes strategies which have a record of success in meeting the Project's requirements.	20		
The Offer describes and provides evidence of experience and success (through a presentation of data) with projects similar in size and scope.	15		
The Offeror provides evidence of experience and success (through presentation of data) in delivering professional development.	10		
The Offeror provides evidence of experience with writing performance tasks.	10		
The Offeror is Ohio based or states that it is willing to partner with an Ohio-based contractor or institution, and indicates this requirement will ensure program sustainability through capacity building.	10		
The Offeror provides evidence of experience and success (through presentation of data) in working with IHE educators.	10		
The Offeror provides qualifications of the key qualified personnel that will be involved in the Work.	10		
The Offer demonstrates sufficient fiscal and management capacity to undertake all activities required.	10		
<b>OFFEROR REFERENCES</b>			
The Offeror documents, at a minimum, three (3) previous references for jobs similar, in size, scope, and nature to this Project, and definitively describes details of similarities (Attachment Five). If fewer than three (3) references are provided, the Offeror includes information as to why fewer than three (3) references were provided.	10		
<b>SCOPE OF WORK</b>			
The Offeror proposes a well-defined, comprehensive Work Plan to develop and validate a task specifications document. (1a)	10		
The Offeror provides examples of the media in which they are capable of developing performance tasks and those examples are satisfactory and desired by the State. (1b)	10		
The task dyad pair submitted is reflective of an understanding of the system.			
The task dyad pair submitted meets the minimum criteria for a working task (The Offeror includes all parts suggested, has clear goals, addresses those goals, shows a relationship between the learning and assessment tasks, and includes a rubric for each task). (1c)	10		
The Offeror's proposal for the construction and maintenance of the external committees are similar to, or better than, ODE's current practices for committee maintenance and development. (1d)	10		
The Offeror provides an adequate narrative of its ability to meet the programmatic goals set by this RFP. (1e)	10		
The Offeror provides an identification of a potential platform, or has identified potential candidates (with advantages and disadvantages listed) for the task delivery system. (2)	10		
The Offeror provides an acceptable proposal for how the moderation panel will function for scoring the learning tasks. (3a)	10		

CRITERION	WEIGHT	RATING (0=DOES NOT MEET TO 5=STRONG)	EXTENDED SCORE
The Offeror provides an acceptable proposal for measuring and correcting poor rater reliability that does not put the State in the position of qualifying teachers for scoring.  The Offeror provides a scoring plan that takes into consideration the two-week turnaround that the assessment consortia are planning.  The Offeror comments and provides valuable input on the possibility of using artificial intelligence (AI) scoring in the proposed Pilot and the impact it might have on teachers. (3b)	10		
The Offeror proposes a reporting system for the assessment task. (3c)	10		
The Offeror has included an appropriate and adequate Work Plan for the identification and securing of locations for committee meetings and panel meetings.  The Offeror has included a proposal for the implementation of the proposed professional development plan considering the timeline in the RFP. (4)	10		
The Offeror includes a description of how they will use the coaches to support the Pilot and build capacity within Ohio. (5)	10		
The Offeror includes a proposal for meeting the proposed schedule (in Table 6) or has proposed changes to the schedule to make it more realistic for the Offeror to meet all deadlines. (6)	10		
The Offeror includes a proposal for how validity and inter-rater reliability would be best evaluated given the other parameters outlined in this RFP. (7)	10		
The Offeror identifies the percentage of time key project personnel will be expected to spend on this project, indicates the number of FTEs assigned to the project, and assures the State that assigned staff will be well-versed in project operations and contract administration issues.	10		
The Offeror provides a plan for building capacity within the State to sustain the development of performance tasks by teachers with a review process and external committees, identifies external funding partners to sustain the committees, moderation panels and on-line platform used for this Pilot, includes a plan to build capacity within the State to sustain the re-population of moderation panels and a plan to develop a learning community among teachers to sustain the growth and transformation of classrooms toward embedding performance tasks in curriculum.	10		
The Offeror provides a definitive description of a contingency plan for completing the project, should the key project personnel become unavailable to work on this project for any reason.	10		
The Offeror provides a definitive description of any anticipated difficulties in performing the specified project requirements and proposed solutions to those difficulties.	10		

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

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 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.

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. The value is provided in the Scoring Breakdown table. "Cost" = Total Not to Exceed Cost identified in the Cost Summary section of Offeror Proposals. 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 price 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: \_\_\_\_\_

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: \_\_\_\_\_ = 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.

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 its interests to consider or to accept. In addition, DAS may cancel this RFP, reject all the Proposals, and seek to do the Project through a new RFP or by other means.

DISCLOSURE OF PROPOSAL CONTENTS. DAS will seek to open the Proposals in a manner that avoids disclosing their contents. Additionally, DAS will seek to keep the contents of all Proposals confidential until the Contract is awarded. DAS will prepare a registry of Proposals containing the name and address of each Offeror. That registry will be open for public inspection after the Proposals are opened.

#### PART FIVE: AWARD OF THE CONTRACT

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

The signature page for the Contract is included as Attachment Four of this RFP. In order for an Offeror's Proposal to remain under active consideration, the Offeror must sign, the two (2) copies enclosed, in blue ink and return the signed Contracts to DAS with its response. Submittal of a signed Contract does not imply that an Offeror will be awarded the Contract. In awarding the Contract, DAS will issue an award letter to the selected Contractor. The Contract will not be binding on DAS until the duly authorized representative of DAS signs both copies and returns one (1) to the Contractor, the Agency issues a purchase order, and all other prerequisites identified in the Contract have occurred.

DAS expects the Contractor to commence 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 Proposals reasonably susceptible of being selected for award of the Contract. The evaluation process will resume with the next highest ranking, viable Proposal.

CONTRACT. If this RFP results in a Contract award, the Contract will consist of this RFP including all attachments, 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 change orders issued under the Contract. The general terms and conditions for the Contract can be found in the [RFP Terms and Conditions](#) link.

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

1. This RFP, as amended;
2. The documents and materials incorporated by reference in the RFP;
3. The Offeror's proposal, as amended, clarified, and accepted by DAS; and
4. The documents and materials incorporated by reference in the Offeror's Proposal.

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

ATTACHMENT ONE: WORK REQUIREMENTS AND SPECIAL PROVISIONS  
PART ONE: WORK REQUIREMENTS

This attachment describes the Project and what the Contractor must do to complete the Project satisfactorily. It also describes what the Contractor must deliver as part of the completed Project (the "Deliverables"), and it gives a detailed description of the Project's schedule.

I. SCOPE OF WORK.

A. DEFINITIONS.

1. Agency. The Ohio Department of Education (ODE).
2. AI. Artificial Intelligence.
3. AT. Assessment Tasks.
4. Calendar Year. January 1 through December 31 of the respective year.
5. Cohort. A group of administrators and teachers participating in the Pilot.
6. Contract Administrator. The State representative responsible for contract administration.
7. Contractor. A successful Offeror who shall perform the duties specified in the Contract.
8. DAS. The Department of Administrative Services.
9. Electronic commerce technologies. Electronic Data Interchange, Web Invoicing, and Payment cards.
10. ELA. English Language Arts
11. eReader. An electronic reading device.
12. ES. Elementary School.
13. FS. Formative Scoring.
14. Formative Assessment. Any assessment tool or process used to alter instruction or re-engage students to increase student understanding.
15. HS. High School.
16. IHEs. Institutions of Higher Education.
17. JVS. Joint Vocational School.
18. LEA. Local Education Agency.
19. LT. Learning Tasks.
20. PD. Professional Development.
21. ODE. The Ohio Department of Education.
22. Offeror. A company or individual submitting a Proposal in response to this RFP.
23. OPAPP. Ohio Performance Assessment Pilot Program.
24. OS. Operational Scoring.
25. RFP. That certain Request for Proposal for the ODE, issued by the state of Ohio, through the Department of Administrative Services, Office of Procurement Services, including any addenda, which by its terms is an integral part of this Contract.

26. State. Refers to the state of Ohio, through any of its departments, agencies, or representatives.
27. State of Ohio fiscal year. The period from July 1 of one (1) calendar year through June 30 of the following calendar year.
28. Subcontractor. Any service provider hired under contract with the Contractor to meet the requirements of this agreement.
29. Summative Assessment. Any assessment product used to measure a student's understanding or knowledge when no further instruction will occur.
30. TI. Task Implementation.

- B. GENERAL REQUIREMENTS. The Contractor agrees to be responsible for the areas of responsibility identified in this RFP. In addition, the Contractor shall meet or exceed all standards, regulations, laws and ordinances as adopted by federal, state and local authorities. These laws and ordinances must include, but not be limited to, any governing body under which the State may operate now or in the future.

The State encourages responses that demonstrate a thorough understanding of the nature of the research in the field of performance assessments and related services. Proposals prepared in response to this RFP must employ a sound design with the aim of producing recommendations that facilitate policy-level decision-making and offer practical action steps for the successful implementation of this pilot project, working with the State and the various cohorts throughout the term of the Contract.

- C. CONTRACTOR RESPONSIBILITIES. The Contractor shall meet all RFP requirements and perform Work as defined in the Scope of Work. The Contractor shall ensure a definitive description, methodology and plan of action are provided in response to this RFP. The areas to be addressed include, but may not be limited to the following:

1. Task Development. One (1) of the main goals of this Pilot is to develop a suite of performance tasks and field test them with pilot schools in Ohio. Proposals must address, at a minimum, the following key areas related to performance task development:
  - a. Task Specifications Document. The Contractor shall develop and validate a task specifications document that includes a format (or template) for the tasks as well as some parameters for the required parts of the tasks (e.g., an instructor's guide, a learning goal, a rubric, a description of the attributes of the student work produced, etc.).

The Contractor shall include, but not limit their response to a proposal of a method for developing and validating a performance task specifications document.

- b. Performance Task Medium. The State's desire is to pilot test tasks that are delivered in a form equivalent to a document, as well as more innovative tasks (for example, tasks where students are interacting with content and making decisions in an on-line environment). The State envisions many possibilities for students to interact with content in a technology-enriched setting, where student reactions and/or actions are digitally recorded and combined with a teacher's evaluation of a written final product. Alternatively, a performance task could be the development of a portfolio, or it could involve project-type final products.

Offerors must include examples of the media in which they are capable of developing performance tasks as part of their Technical Proposal package prepared in response to this RFP.

- c. Performance Task Dyad System. The Ohio performance task dyad system consists of a learning task and an assessment task. The learning tasks are intended to be a part of instruction and serve as a formative tool to scaffold student learning. The assessment task is developed to be closely tied to the performance task so that the student will recognize what is being asked of them in the assessment task, and be able to use what they have learned from doing the learning task to demonstrate the knowledge and skills being assessed. The Performance Task Dyad system provides an opportunity for students to practice and receive feedback from the teacher on how to improve their performance and improve their content knowledge and skill set, to meet or exceed the expected standard assessed in the assessment task.

- 1) Learning Tasks. The learning tasks are intended to be developed as curriculum enhancements and shall be designed to require no more than four (4) hours of class meeting time (about one [1] week of class). These tasks would be low-security tasks that could be used in schools and modified by teachers

to accommodate their classroom-specific needs. These tasks must have specific learning goals that are aligned to the Common Core or New State Standards and are identified for the teacher and the student. They must include a “teacher’s guide” to indicate required scaffolding and to set limits on the allowed scaffolding for teachers. Students shall be made familiar with the generalized rubrics used for these tasks before and during their engagement in these tasks.

- 2) Assessment Tasks. The assessment tasks are modeled after the common Assessment Consortia (PARCC and SBAC) definitions of performance assessment tasks and will be no less than 10 (ten) minutes but no more than 120 minutes in length. Given the vague definitions in the current documentation from these consortia, Ohio would like to see tasks developed across the full spectrum of time constraints (10 minute tasks, 30 minute tasks, 45 minute tasks, 70 minute tasks, etc.). These tasks shall be developed to be aligned to the learning tasks so that these tasks are assessing skills and knowledge students have had an opportunity to learn and practice during the learning tasks. These tasks shall be treated as high-security tasks and shall be administered following a prescribed protocol. Student responses shall be considered secure.

In addition to developing tasks for the new cohorts, the English Language Arts (ELA) group in cohort 1 will be developing and piloting two (2) short assessment tasks (developed already) during Stage 1 of this pilot. The Contractor shall be responsible for benchmarking this task and leading a scoring session for the ELA group. This will involve eight (8) hours of PD not included in Table 4.

The Contractor shall include, but not necessarily limit their response to, a sample of a dyad performance task pair for the content area of their choosing (Mathematics, ELA, Science, or Social Studies). Each sample task shall include a task goal, the alignment of the task goal to either the common core standards or the new Ohio standards (found on the ODE Web site), the length of time a student will need to complete the task, an instructional strategies section where permitted teacher scaffolding is described, and a rubric for scoring the student work.

- d. Review Protocol. Both the assessment and learning tasks will be reviewed internally by ODE Assessment and Curriculum staff before they are piloted. The assessment tasks will also be reviewed by two (2) external committees (a Fairness Committee and a Content Committee) following a protocol similar to the one used for items developed for Ohio’s state administered assessments.

Currently, the ODE process is to have committees review materials that have been approved through an internal review process. The respective Contractor invites stakeholders to participate in committees, and reimburses them for travel expenses as well as offers a stipend for non-teachers or teachers on non-teaching days. For teachers, instead of a stipend, the LEA receives a reimbursement for the cost of a substitute teacher. Also, the Contractor currently handles the logistics of inviting committee members to meetings at the appropriate time.

The Contractor shall include, but not necessarily limit their response to, a proposal, with a well defined Work Plan, for the construction and maintenance of the external committees.

- e. Task Development Timeline. The development goal is to have several (2 or 3) learning tasks developed in each area for each grade level included in the Pilot and at least three (3) assessment tasks aligned to each learning task. In the career technical education system, pathways that are present in the Pilot LEAs shall be selected. Also, teachers at JVS sites who are teaching high school content in mathematics, science, social studies, and English/language arts would be encouraged to participate.

The Contractor shall develop the learning and assessment tasks and a general and/or task-specific rubric for the tasks. The Contractor shall also be responsible for training teachers to develop learning tasks, using the general rubric. In the second year of development for each cohort, the Contractor is expected to share the development of the learning and assessment tasks with participating teachers. Since teachers will have already been trained on using and implementing tasks in their classrooms and will have been trained to score student work in the first year of the Pilot program, they shall be well-equipped to learn to write tasks with some training by the Contractor.

The proposed task development timeline is listed below in table form. Based on the Contractor’s experience with writing these types of tasks in the media proposed, the Contractor shall include, but not necessarily limit

their response to a discussion of the ability of the Contractor to meet the programmatic goals set by this RFP.

**TABLE 4 - PROPOSED TIMELINE OF TASK DEVELOPMENT DELIVERABLES**

* DELIVERABLE	YEAR 1 (2011-12)		YEAR 2 (2012-13)		YEAR 3 (2013-14)		YEAR 4 (2014-15)	
	STAGE 1	STAGE 2	STAGE 3	STAGE 4	STAGE 5	STAGE 6	STAGE 7	STAGE 8
LEARNING TASKS (HS)	50	50	25**	25**				
ASSESSMENT TASKS (HS)	150	150	75**	75**				
LEARNING TASKS (ES)		40	40	20**	20**			
ASSESSMENT TASKS (ES)		120	120	60**	60**			

\* Deliverables identified in the tables for this RFP Project, and their identified time frames are for the respective Academic years. E.g., Year 1 = Academic year 2011 – 12.

\*\* To be developed by cohort teachers and the Contractor, jointly.  
 ES = Elementary School, HS = High School.

2. Task Delivery, Retrieval, and Storage System. The task delivery system in the first phase of this pilot program has been very low-tech. It is the goal of this Program to pilot test a delivery, retrieval, and storage system that shall mimic what the consortia are planning. So, to that end, either the State or the Contractor shall identify a platform that will allow for the electronic delivery and retrieval (perhaps in the form of an “app” for a smart phone or compatible with eReaders) of both the learning and the assessment tasks.

The platform must allow teachers and students the ability to upload and download multimedia. For tasks that involve a student created product, the ability to house that product must be part of the platform identified. Additionally, if any learning tasks will involve group work, that capability shall be part of the platform. Also, teachers from other participating schools shall be able to download student work and grade it. The grades assigned shall be able to be delivered to a central system for monitoring and moderation. When a final grade is determined for a student product, that score shall be reported to the student and the student’s teacher using this platform.

The task delivery, retrieval, and storage system must have all these capabilities and must be scalable to a full state system. The Pilot shall involve less than 50 schools, but the intent is to adopt a system that could house the assessment systems for Science and Social Studies (at least) when these assessments become operational for the entire State. So the capacity of the system must be able to handle the full state system (about 1 million students).

The Contractor shall include, but not necessarily limit their response to, the identification of a potential platform or, at least, a list of potential candidates along with the advantages and disadvantages of each.

3. Scoring. In this section the scoring of each type of performance task in the dyad system shall be considered separately.
  - a. Learning Task Scoring. The scoring of the learning tasks will be done, in practice, by the teachers. Teachers will be trained to score these tasks through a formative training session. The formative training session shall be moderated by the Contractor and former participants who shall serve as moderators.

Teachers from the previous cohort (current OPAPP) may be employed to serve as moderators for the new cohorts. This will help to build capacity within the State for moderation of teacher scoring. Ultimately, the learning tasks shall be scored by teachers who have been trained at regional facilities by moderators (teachers who have been rated as reliable (high agreement) scorers).

The Contractor shall include, but not necessarily limit their response to a model for how the moderation panel shall function for scoring the learning tasks, keeping in mind that the learning tasks are intended to be used for formative purposes, so a quick turnaround time is important. Also, since the learning tasks are not part of the assessment system, but do provide the “opportunity to learn”, reliability in scoring is less of an issue, but certainly not something to remove from consideration.

- b. Assessment Task Scoring. The scoring of the assessment tasks shall be done by classroom teachers in a manner that mimics the scoring systems proposed by both national assessment consortia (SBAC and PARCC). The scoring system shall look much like the scoring of the current assessment constructed responses, except that teachers shall score a randomly selected sample of student work, rather than hired scorers. And, although both consortia are proposing the use of Artificial Intelligence (AI) in scoring, Ohio is piloting a human scoring system.

The student work shall have to be range found and benchmarked. A training set for human scorers will have to be identified. Ohio does not want to be in the business of qualifying teachers for scoring, so a method for checking rater reliability and a protocol for re-training and re-scoring shall have to be developed.

The Contractor shall include, but not necessarily limit their response to, a detailed proposal for measuring and correcting instances of poor rater reliability that does not put the State in the position of qualifying teachers for scoring. Further, the Contractor shall propose a scoring plan that takes into consideration the proposed two-week turnaround that the assessment consortia are promising. Finally, the Contractor shall comment on the possibility of using artificial intelligence (AI) in the proposed pilot and the impact that might have on teachers.

- c. Assessment Task Score Reporting System. For the assessment tasks, teachers shall score these via the on-line delivery system, so reports shall be generated by the Contractor. Once assessment tasks have been reliably scored (by one [1] or more teachers) the timely reports of the scores shall be delivered to each student and the associated teacher in the Pilot program. (Score reports of a pilot in ELA shall only go the ELA teacher of the student participating.)

The Contractor shall include, but not necessarily limit their response to a proposal for the score reporting system for the assessment task.

4. Professional Development. The professional development (PD) associated with OPAPP-Phase II is intended to be significant. The PD shall start out as a very intense program (64 hours or 8 days) during the first semester for each cohort (Stage 1 for high school and Stage 2 for elementary school). After the first semester, the PD shall be reduced to 32 hours (or 4 days) per semester until the last stage of the cohort’s participation. The focus of the PD shall take different directions at different times in the Pilot.

The Contractor shall identify and secure locations for the professional development sessions. The State suggests partnering with a local Educational Services Center since these are locations where space and proper equipment shall be present.

- a. Part 1. Learning Tasks as a Formative Tool. For the learning tasks, teachers shall receive professional development on how to use the rubrics to give constructive feedback to students. They shall also be practicing using the information gained from student work produced from the learning tasks to develop re-engagement activities. Teachers need to be able to experience the full cycle of formative processes and practice implementing the full cycle as a part of their professional development. ODE and the Contractor shall engage Education faculty and Content specific faculty from IHEs in this professional development as both leaders and learners.
- b. Part 2. Scoring Assessment Tasks. For the assessment tasks, the focus of the professional development shall be on developing a common understanding of the rubrics and goals of the tasks used to support highly reliable scoring practices. During this PD, the State and the Contractor shall collect data on teacher scoring to measure how reliably teachers are scoring, so some actual scoring in addition to training on how to score must occur. The State and the Contractor shall engage Education faculty and Content specific faculty from IHEs in this professional development as both leaders and learners.
- c. Part 3. Task Development. Teachers shall also receive professional development on task development. The Contractor responsible for writing the tasks shall train teachers, in addition to their own task writers, to develop learning tasks. The professional development must include determining alignment, providing

scaffolding, determining differentiation measures, and clearly defining student outcomes. The State and the Contractor shall engage Education faculty and Content specific faculty from IHEs in this professional development as both leaders and learners.

- d. Part 4. Training Others to Score Assessment Tasks. Teachers shall also learn to train other teachers to score the assessment tasks. The PD for how to score assessment tasks shall come from the Contractor, at first, but shall be sustained by a cadre of teachers from a previous cohort in the form of regional task moderation training. So, the Contractor shall provide PD on how to deliver PD on how to score assessment tasks. This shall only apply to a small subset of the teachers (i.e., no more than 50) involved in the Pilot, which the State shall identify with the help of the Contractor. The State and the Contractor shall engage Education faculty and Content specific faculty from IHEs in this professional development as both leaders and learners.

The Contractor shall include, but not necessarily limit their response to a proposal for the implementation of the proposed professional development plan considering the timeline shown below.

TABLE 5 - PROPOSED TIMELINE OF PROFESSIONAL DEVELOPMENT DELIVERABLES

DELIVERABLE	2011-12		2012-13		2013-14	
	STAGE 1	STAGE 2	STAGE 3	STAGE 4	STAGE 5	STAGE 6
COHORT 1 PD	8 hrs	8 hrs				
COHORT 2 PD	64 hrs	32 hrs	32 hrs	32 hrs	16 hrs	
COHORT 3 PD		64 hrs	32 hrs	32 hrs	32 hrs	16 hrs
MODERATOR PD			16 hrs	16 hrs	16 hrs	16 hrs

PD = professional development

- 5. Coaches and Their Role. The current OPAPP model involves the use of coaches. The coaches are matched to participating schools in their geographical area. Coaches are expected to:
  - a. Attend all PD sessions.
  - b. Visit schools during the implementation of the tasks.
  - c. Provide critical feedback to teachers during the implementation of the tasks.
  - d. Report back to the State on a monthly basis.
  - e. Cooperate with the Contractor to assist, as needed, with delivery of PD.
  - f. Cooperate with the External Evaluator, as needed.

The Contractor shall include, but not necessarily limit their response to a description of how they would use the coaches to support the Pilot and to build capacity within Ohio for implementing performance tasks as both assessment and learning tools.

- 6. Participants. Teachers from 23 LEAs will be selected for each cohort through an application process. RtT schools will be invited to apply for participation in this pilot program. Any school that is selected must agree that all eligible teachers will participate in the program, and will have to commit to providing the time required for students to participate in the Pilot (longer class-meeting times may be required for some activities, planning time shall be required for teachers, computer access and internet access shall need to be available for a large number of students at the same time). The intent of the Pilot is to be a transformational agent in education.

The Pilot program shall start in high school, involving 9<sup>th</sup>-12<sup>th</sup> grade teachers of science, social studies, mathematics, ELA and some Career Tech pathways. All eligible teachers from each participating LEA shall participate in the program. For this Pilot, it is desirable that each school participate in at least two (2) different content areas. After one (1) year of the HS pilot, the State's plan is to add a cohort of elementary school

teachers. The elementary school teachers shall be involved in the Stage 2 of the Program for PD purposes, but the tasks for the elementary school pilot would not be piloted until Stage 3 of the program (see schedule below).

The two (2) development cycles shall start in beginning of one (1) fiscal year and end by the beginning of the next fiscal year so that tasks shall be piloted in Stages 2, 3, 4 and 5 for high school and Stages 3, 4, 5, and 6 for elementary school. During the second year of the Pilot for each of the new cohorts, teachers (along with the Contractor) shall develop new learning tasks. In parallel, the Contractor shall develop new assessment tasks aligned to those learning tasks.

The Contractor shall include, but not necessarily limit their response to the presentation of a definitive and well thought out Work Plan. Specifically, the Contractor shall clearly identify how it plans to meet the proposed schedule or propose changes to the schedule to make it realistic for the Contractor to meet all deadlines.

**TABLE 6 - PROPOSED ACTIVITIES TIMELINE FOR OPAPP**

DELIVERABLE	2011-12		2012-13		2013-14	
	STAGE 1	STAGE 2	STAGE 3	STAGE 4	STAGE 5	STAGE 6
COHORT 1	PD, TI	Support				
COHORT 2	PD	PD, TI, OS	PD, TI, OS	PD, TI, FS	TI, FS	
COHORT 3		PD	PD, TI, OS	PD, TI, OS	PD, TI, FS	TI, FS
CONTRACTOR TASK DEVELOPMENT	Develop Stage 2 HS LT/AT	Develop Stage 3 ES LT/AT HS LT/AT	Develop Stage 4 ES LT/AT HS AT	Develop Stage 5 ES AT HS AT	Develop Stage 6 ES AT	
TEACHER TASK DEVELOPMENT			Develop Stage 4 HS LT	Develop Stage 5 ES LT HS LT	Develop Stage 6 ES LT	
MODERATOR TRAINING			PD	PD	PD	PD

PD=professional development, TI= task implementation, OS=operational scoring, FS= formative scoring, LT=learning tasks, AT=assessment tasks

7. Evaluation of Psychometric Considerations. The State has identified several psychometric considerations for evaluation. The evaluation of these considerations shall be accomplished by developing a scoring plan for the scoring sessions that the Contractor shall hold during each of the Stages that involve task implementation.
  - a. Validity: The State is interested in understanding the validity of the inferences that will be drawn from the performance assessment tasks.
  - b. Inter-rater Reliability: The State and the Contractor shall devise an operational scoring plan that allows for live assessment of inter-rater reliability and has built-in corrective action.

The Contractor shall include, but not necessarily limit their response to a proposal for how validity and inter-rater reliability would be best evaluated given the other parameters outlined in this RFP.

D. LEADERSHIP, STAFFING, AND PROFESSIONAL DEVELOPMENT. Describe the qualifications for the leadership team. The Contractor shall include, but not necessarily limit their response to, a narrative addressing each of the following items:

1. Evidence of existing staff capable of implementing the program or a plan for recruiting, hiring and developing staff to accomplish the goals outlined in this RFP.
2. Evidence of experience of the Contractor in implementing a program of this scope and scale successfully.
3. A detailed description of all subcontractors and partnership organizations that the Contractor shall use in the implementation of its program and the process used for their selection.
4. Evidence that the Contractor has vetted the providers and programs carefully, obtained reasonable assurance of their abilities and targeted only program elements that support the goals of this RFP.
5. Evidence that individuals providing services in schools have successfully completed a criminal background check.

E. BUILDING CAPACITY FOR SUSTAINED IMPROVEMENT. Describe how the Contractor intends to phase out the need for its services so that the development, scoring and use of performance tasks shall continue. The Contractor shall include, but not necessarily limit their response to a narrative addressing each of the following items:

1. Build capacity within the State to sustain the development of performance tasks by teachers with a review process and external committees included.
2. Identify external funding partners to sustain the committees, moderation panels, and on-line platform used for this Pilot.
3. Build capacity within the State to sustain the re-population of moderation panels.
4. Develop a learning community among teachers to sustain the growth and transformation of classrooms toward embedding performance tasks in the curriculum.

F. PROGRAMMATIC REQUIREMENTS.

1. The Contractor shall supply uninterrupted high quality services successfully for the term of the Contract with the State.
2. All instruction and content shall be secular, neutral and non-ideological.
3. The Contractor agrees to provide (if requested) additional information and clarification promptly to the State. This information shall become part of the respective agreement(s).
4. The program/service design submitted is the program to be offered once approved by ODE. If the program is not the same as that approved in the Contractor's proposal, the State reserves the right to remove the Contractor.
5. The Contractor shall notify the State immediately if any of the information or assurances contained in the respective proposal is no longer accurate, true or correct.

G. REPORTING RECORDS AND CONFIDENTIALITY.

1. The Contractor shall respect the confidentiality of student records and share this information only with parents and appropriate school personnel.
2. All documents contained in or submitted with the Contractor's Proposal shall become the exclusive property of the State and may be distributed in any manner deemed necessary by the Agency.

3. The Contractor shall provide a year-end utilization report to DAS, OPS as indicated in Part Three of this RFP. The report shall summarize highlights of the respective reporting period requirements, for the respective contract years ending on September 30. The report shall be provided by November 15 of each year.

H. ORGANIZATIONAL, ADMINISTRATIVE AND LEGAL REQUIREMENTS. The Contractor agrees to comply with all applicable health, safety and civil rights laws and will not discriminate against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status, sexual orientation or unfavorable discharge from military service. In providing services to any student with a disability, will provide such services in accordance with the student's individualized education program under Section 614 of the IDEA or the student's individualized services under Section 504.

I. PROJECT IMPLEMENTATION AND TRANSITION. The Project Implementation Plan shall include a description of how the requirements of the Project will be implemented. Offerors must indicate a commitment to assume responsibilities and execute Program requirements within five (5) business days after the Offeror is notified of selection. Failure of the selected Offeror to execute program implementation within this time-frame shall be grounds for the State to cancel the award of the Contract to the selected Offeror, select another Offeror, and/or re-open the negotiation process.

The Offeror shall address the proposed transition process for ease of implementation of subsequent contractors should the need arise at the end of the Contract term. As such, Offerors should ensure they address, at a minimum, the following Contractor responsibilities:

1. Staff Availability & Knowledge Transfer. The Contractor shall play an integral role in providing knowledgeable human resources during a transitional period to ensure uninterrupted operations and availability of the Information System. Consultations and expertise are required in addition to supplied documentation. Experts are required in the facilities, technical, conceptual and functional facets of the Information System.
2. Documentation. Documentation shall be made available to assist in the execution of a transition plan. The Contractor shall be responsible for developing and maintaining documentation at all times during the Contract period. All documentation shall be made available to the State upon the State's request. The documentation shall include, but not be limited to: user guides, program and system narratives, system flows and processing schedules, technical architecture & hardware specifications and the Disaster Recovery Plan.
3. Application Data. The Contractor shall be responsible for maintaining current and accurate data. If required, this data shall be made available to assist in the execution of a transition plan.

J. ODE RESPONSIBILITIES. The Ohio Department of Education shall be responsible for monitoring the Contractor's performance and compliance with the [terms and conditions](#) of the Contract during the time the contract is in effect. The Contractor shall submit quarterly status reports and meet as necessary with the Department. If the State observes any infraction(s), such shall be documented and conveyed to the Contractor for immediate correction. Continued failures on the Contractor's part to comply with the terms and conditions of the Contract may result in the immediate removal of the Contractor from the Contract by the State. ODE shall:

1. Coordinate and communicate with the Contractor in order to implement the Program.
2. Coordinate regular status meetings with the Contractor throughout the Contract administration period.
3. Reimburse the Contractor for services rendered. Payment of the Contractor's invoices will be authorized by ODE, upon receipt of the biannual progress report describing work completed in conformance with the terms of the Contract.

ATTACHMENT ONE: WORK REQUIREMENTS AND SPECIAL PROVISIONS  
PART TWO: SPECIAL PROVISIONS

THE OFFEROR'S FEE STRUCTURE. The Contractor will be paid as proposed on the Cost Summary Form after the Agency approves the receipt of product(s) and continued completion of all deliverables.

REIMBURSABLE EXPENSES. None.

BILL TO ADDRESS.

Ohio Department of Education  
Office of Assessment  
25 South Front Street, Mail Stop 507  
Columbus, OH 43215

FUNDING SOURCE.

Name of Grant: Race to the Top

Fund: 3FD0

Assurance Area: B3 –Strengthen Assessment Leadership

REQUIRED SUPPLEMENTAL TERMS FOR ARRA CONTRACTS

DAS TERM CONTRACTS. In the event a state of Ohio agency obligates funds under the Recovery Act on an existing DAS contract, it must report the purchase as a “Recovery” action per FAR Section 4.625(c) and Subpart 5.7.

TIMELY AND ACCURATE REPORTING. The Act requires periodic reporting on projects using ARRA funds to ensure accountability and transparency on all activities associated with the purchase. The Office of Budget and Management has and continues to issue guidance memos to assist state agencies when using ARRA funds. These memos are posted on the OBM Web site at: <http://obm.ohio.gov/>. The following guidance memos are relevant to reporting requirements:

- Guidance Memo #3 – Preliminary Reporting Guidance
- Guidance Memo #5 – Risk Management
- Guidance Memo #6 – Award Notices and Cash Receipts
- Guidance Memo #7 – Ohio ARRA Hub & Reporting Requirements

Furthermore, Supplement Three at the end of this guidance is a template form for subcontractors and subgrantees using ARRA funds.

JOB POSTING. All jobs created with ARRA funds are required to be posted on [www.ohiomeansjobs.com](http://www.ohiomeansjobs.com) and at the closest ODJFS One-Stop location (stops: <http://jfs.ohio.gov/owd/wia/wiamap.stm>).

The Act requires reporting of all jobs created and retained with ARRA funds. The federal Office of Management and Budget defines jobs created as “those positions created and filled, or previously existing unfilled positions that are retained as a result of Recovery Act funding.” Positions retained are “those previously existing filled positions that are retained as a result of Recovery Act funding.” A job cannot be reported as both created and retained. It is not necessary to post an unfilled position if a laid-off worker is being recalled to re-fill that position, but the position, when filled, must still be reported as a position created.

When an employer posts a job on OhioMeansJobs, the posting has a job post number. All grantees, contractors, and subcontractors will use this number to meet certain reporting requirements of the previous section.

ACCESSIBILITY TO RECORDS AND PROJECT SITES. The Act requires that each contract and grant awarded using ARRA funds must include a provision to allow certain access to information by the U.S. Comptroller General and the Inspector General. This access includes the examination of records of contractors and subcontractors, and ability to interview any employees or officers associated with the contracts.

EQUAL OPPORTUNITY LAWS AND PRINCIPLES. The Act requires all contractors and subcontractors and subgrantees to comply with federal and state laws pertaining to civil rights and discrimination. Among the applicable federal laws are:

- Title VI & Title VII of Civil Rights Act of 1964
- Equal Pay Act of 1962
- Age Discrimination in Employment Act of 1967
- Title IX of Educational Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Title I & Title V of Americans with Disabilities Act of 1990
- Fair Housing Act
- Fair Credit Reporting Act
- Equal Educational Opportunities Act
- Uniform Relocation Act

Among the applicable Ohio laws and provisions are:

- Ohio revised code 122.71, 125.111, 153.59, 4112.01, 4112.02
- Governor's Executive Order 2007-S

PREVAILING WAGE. The Act requires that all contractors and subcontractors pay not less than the prevailing wage under the Davis-Bacon Act to all laborers and mechanics on projects funded directly by or assisted in whole or in part by ARRA funds. The agency must communicate this requirement to contractors and subcontractors and issue the appropriate federal wage rates to them. Once this is completed, Ohio's prevailing wage rates do not apply and the agency is exempt pursuant to ORC 4115.04(B)(1). The project then becomes a federal project administered by a state agency.

In the event that the contract work does not lie within the purview of the Davis-Bacon Act, then the agency must apply Ohio prevailing wage law, in accordance with ORC sections 4115.03 to 4115.06.

WHISTLEBLOWER PROTECTIONS. The Act contains new language regarding whistleblower protections that prohibit non-federal employers from discharging, demoting, or discriminating against an employee as a reprisal for disclosing information. Contracts and grant agreements using ARRA funds must include reference to these revised provisions, which are contained in ARRA section 1553, FAR case 2009-012.

## ATTACHMENT TWO: REQUIREMENTS FOR PROPOSALS

**PROPOSAL FORMAT.** Each Proposal must include sufficient data to allow the State to verify the total cost for the Project and all of the Offeror's claims of meeting the RFP's requirements. Each Proposal must respond to every request for information in this attachment whether the request requires a simple "yes" or "no" or requires a detailed explanation. Simply repeating the RFP's requirement and agreeing to comply will be an unacceptable response and may cause the Proposal to be rejected.

These instructions describe the required format for a responsive Proposal. The Offeror may include any additional information it believes is relevant. An identifiable tab sheet must precede each section of a Proposal, and each Proposal must follow the format outlined below. All pages, except pre-printed technical inserts, must be sequentially numbered. Any material deviation from the format outlined below may result in a rejection of the non-conforming Proposal.

Each Proposal must contain the following information, chronologically in order, with tabbed sections as listed below:

1. Cover Letter and Mandatory Requirements
2. Certification
3. Signed Contracts
4. Offeror Profile and Prior Projects
5. Offeror References
6. Staffing Plan
7. Work Plan
8. Support Requirements
9. Conflict of Interest Statement
10. Assumptions
11. Proof of Insurance
12. Payment Address
13. Contract Performance
14. W-9 Form and Additional Vendor Information Form
15. Declaration Regarding Material Assistance/Non-assistance to a Terrorist Organization (DMA)
16. Standard Affirmation and Disclosure Form - Executive Order 2010-09S Requirements
17. Affirmative Action Plan
18. Cost Summary Form

### REQUIREMENTS:

1. **Cover Letter.** The cover letter must be in the form of a standard business letter and must be signed by an individual authorized to legally bind the Offeror. The cover letter will provide an executive summary of the solution the Offeror plans to provide. The letter must also have the following:
  - a. A statement regarding the Offeror's legal structure (e.g., an Ohio corporation), Federal tax identification number, and principal place of business.
  - b. A list of the people who prepared the Proposal, including their titles.
  - c. The name, phone number, fax number, e-mail address, and mailing address of a contact person who has authority to answer questions regarding the Proposal.
  - d. A list of all subcontractors, if any, that the Offeror will use on the Project if the Offeror is selected to do the Work.
  - e. For each proposed subcontractor, the Offeror must attach a letter from the subcontractor, signed by someone authorized to legally bind the subcontractor, with the following included in the letter:
    - 1) The subcontractor's legal status, tax identification number, and principal place of business address.
    - 2) The name, phone number, fax number, e-mail address, and mailing address of a person who is authorized to legally bind the subcontractor to contractual obligations.
    - 3) A description of the work the subcontractor will do.
    - 4) A commitment to do the work if the Offeror is selected.
    - 5) A statement that the subcontractor has read and understood the RFP and will comply with the requirements of the RFP.
    - 6) A statement that the Subcontractor will maintain any permits, licenses, and certifications required to perform work.

- f. A statement that the Offeror's proposed solution for the Project meets all the requirements of this RFP.
- g. A statement that the Offeror has not taken any exception to the Terms and Conditions, which can be found at the following link:

[RFP Terms and Conditions](#)

- h. A statement that the Offeror does not assume there will be an opportunity to negotiate any aspect of the proposal.
- i. A statement indicating the Offeror will comply with all Federal and Ohio (Ohio Revised Code) Laws and Rules of the Ohio Administrative Code as those law and rules are currently enacted and promulgated, and as they may subsequently be amended and adopted.
- j. A statement that the Contractor shall not substitute, at Project start-up, different personnel from those evaluated by the State except when a candidate's unavailability is no fault of the Contractor (e.g., Candidate is no longer employed by the Contractor, is deceased, etc.).
- k. A statement that the Offeror is not now, and will not become subject to an "unresolved" finding for recovery under Revised Code Section 9.24, prior to the award of a Contract arising out of this RFP, without notifying DAS of such finding.
- l. A statement that all the Offerors personal and business associates are in compliance with Chapter 3517 of the Revised Code regarding limitations on political contributions and will remain in compliance for the duration of the Contract and with all applicable provisions that extend beyond the expiration of the Contract. Refer to the Political Contributions paragraph in the [RFP Terms and Conditions](#).
- m. All contractors from whom the State or any of its political subdivisions make purchases in excess of \$2500.00 shall have a written affirmative action program for the employment and effective utilization of economically disadvantaged persons, as referred to in division (E)(1) of section 122.71 of the Revised Code. Annually, each such contractor shall file a description of the affirmative action program and a progress report on its implementation with the Equal Employment Opportunity office of the Department of Administrative Services. Provide a statement that the Offeror has been approved through this affirmative action program. Refer to the Affirmative Action paragraph in Attachment Two and to the Equal Employment Opportunity paragraph in the [RFP Terms and Conditions](#).
- n. Registration with the Secretary of State. By the signature affixed to this Offer, the Offeror attests that the Offeror is:
  - 1) An Ohio corporation that is properly registered with the Ohio Secretary of State; or
  - 2) A foreign corporation, not incorporated under the laws of the state of Ohio, but is registered with the Ohio Secretary of State pursuant to Ohio Revised Code Sections 1703.01 to 1703.31, as applicable.

Any foreign corporation required to be licensed under Sections 1703.01 to 1703.31 of the Ohio Revised Code, which transacts business in the state of Ohio, without being so licensed, or when its license has expired or been canceled, shall forfeit not less than \$250 nor more than ten thousand dollars. No officer of a foreign corporation shall transact business in the state of Ohio, if such corporation is required by Section 1703.01 to 1703.31 of the Revised Code to procure and maintain a license, but has not done so. Whoever violates this is guilty of a misdemeanor of the fourth degree.

Offeror attests that it is registered with the Ohio Secretary of State.

The Offeror's Charter Number is: \_\_\_\_\_.

Questions regarding registration should be directed to (614) 466-3910 or visit the Web site at:  
<http://www.sos.state.oh.us>

All Offerors who seek to be considered for a contract award must submit a response that contains an affirmative statement using the language in paragraph(s) a. through n. above.

Responses to all Mandatory Requirements from Table 1 must be included in this section (Tab 1). DAS will accept a document that illustrates where the data and/or documentation is contained within the Offeror's Proposal.

- 2. **CERTIFICATION.** Each Proposal must include the following certification signed by the individual Offeror.

*(Insert Company name)* affirms they are the prime Offeror.

*(Insert Company name)* affirms it shall not and shall not allow others to perform work or take data outside the United States without express written authorization from the Agency Project Representative.

*(Insert Company name)* affirms that all personnel provided for the Project, who are not United States citizens, will have executed a valid I-9 form and presented valid employment authorization documents.

*(Insert Company name)* affirms that any small business program participants will provide necessary data to ensure program reporting and compliance.

*(Insert Company name)* agrees that it is a separate and independent enterprise from the state of Ohio, the Agency, and the Department of Administrative Services. *(Insert Company name)* has a full opportunity to find other business and has made an investment in its business. Moreover *(Insert Company name)* will retain sole and absolute discretion in the judgment of the manner and means of carrying out its obligations and activities under the Contract. This Contract is not to be construed as creating any joint employment relationship between *(Insert Company name)* or any of the personnel provided by *(Insert Company name)*, the Agency, or the Department of Administrative Services.

*(Insert Company name)* affirms that the individuals supplied under the Contract are either: (1) employees of *(Insert Company name)* with *(Insert Company name)* withholding all appropriate taxes, deductions, or contributions required under law; or (2) independent contractors to *(Insert Company name)*.

*If the Offeror's personnel are independent Contractors to the Offeror, the certification must also contain the following sentence:*

*(Insert Company name)* affirms that it has obtained a written acknowledgement from its independent Contractors that they are separate and independent enterprises from the state of Ohio and the Department of Administrative Services and the Agency for all purposes including the application of the Fair Labor Standards Act, Social Security Act, Federal Unemployment Tax Act, Federal Insurance Contributions Act, the provisions of the Internal Revenue Code, Ohio tax law, worker's compensation law and unemployment insurance law.

3. Signed Contracts. The Offeror must provide two (2) originally signed, blue ink copies of the included Contract, Attachment Three. Offeror must complete, sign and date both copies of the Contract and include it with their Proposal. (Attachment Three).
4. Offeror Profile. Each Proposal must include a profile of the Offeror's capability, capacity, and relevant experience working on projects similar to this Work. The profile must also include the Offeror's legal name; address; telephone number; fax number; e-mail address; home office location; date established; ownership (such as public firm, partnership, or subsidiary); firm leadership (such as corporate officers or partners); number of employees; number of employees engaged in tasks directly related to the Work; and any other background information that will help the State gauge the ability of the Offeror to fulfill the obligations of the Contract. The financial stability of the company should also be described and is considered a necessary component of this portion of the Proposal's response. This RFP includes Offeror Profile Form as Attachment Four which must be completed for the Offeror. The Offeror must use this form and fill it out completely to provide the Offeror requirement information.

The Offeror shall also provide information on the firm's background as well as evidence that it has in place the personnel, internal procedures, and any other resources required under the terms of the Contract to ensure successful performance and contract compliance. Offerors must describe current operational capacity of the organization and the Offeror's ability to absorb the additional workload resulting from this Project. Failure to recreate the form accurately to include all fields, may lead to the rejection of the Offeror's Proposal.

5. Offeror References. The Offeror must include a minimum of three (3) references for organizations and/or clients for whom the Offeror has successfully provided services on projects that were similar in their nature, size, and scope to the Work. Details of the similarities must be included. These references must relate to work that was completed within the past five (5) years. This RFP includes an Offeror Reference Form as Attachment Five. This form must be filled out completely for each of the three (3) references for the projects provided. Failure to recreate the form accurately may lead to the rejection of the Offeror's Proposal. When contacted, each reference must be willing to discuss the Offeror's previous performance on projects that were similar in their nature, size, and scope to the Work.

The State does not assume that since the experience requirement is provided at the top of the page that all descriptions on that page relate to that requirement. Offerors must reiterate the experience being described, including the capacity in which the experience was performed and the role of the Offeror on the Project. It is the Offeror's responsibility to customize the description to clearly substantiate the qualification. Previous experience must include the conduct, management, and coordination of projects. Incumbents must ensure specifics are addressed. Evaluations will not be based on intrinsic knowledge of evaluation committee members.

The description of the related service shows the Offeror's experience, capability, and capacity to develop this Project's deliverables and/or to achieve this Project's milestones. Details such as the size of the contracting organizations, duration of involvement, level of responsibility, significant accomplishments, as well as a thorough description of the nature of the experience will be required for appropriate evaluation by the committee.

Offerors must include a sample set of tasks from at least one (1) project of similar size and scope as part of the Technical Proposal for this RFP.

6. Staffing Plan. The Offeror must provide a staffing plan that identifies all key personnel required to do the Project and their responsibilities on the Project. The State is seeking a staffing plan that matches the proposed Project personnel and qualifications to the activities and tasks that will be completed on the Project, and assures the State that assigned staff will be well versed in Project operations and contract administration issues.

This RFP includes an Offeror's Candidate Form as Attachment Six. The Offeror must use this form and fill it out completely for each key candidate/staff member referenced. The forms must be completed using typewritten or electronic means. The forms may be recreated electronically, but all fields and formats must be retained. Failure to recreate the forms accurately may lead to the rejection of the Offeror's Proposal.

The candidate's project experience must be listed separately and completely every time it is referenced, regardless of whether it is on the same or different pages of the form. In the event key staff are not yet in place, the State's expectation is for Offerors to provide minimum qualification requirements and position descriptions for the proposed positions.

In addition, the plan must have the following information:

- a. A matrix matching each key team member to the staffing requirements in this RFP.
- b. A contingency plan that shows the ability to add more staff if needed to ensure meeting the Project's due date(s).
- c. A discussion of the Offeror's ability to provide qualified replacement personnel.
- d. The Offeror must submit a statement and chart that clearly indicate the time commitment of the proposed work team, including the Project Manager, to the Project and any other, non-related work during the term of the Contract. The Offeror must also include a statement indicating to what extent, if any, the Project Manager may be used on other projects during the term of the Contract. The Evaluation Committee may reject any Proposal that commits the proposed Project Manager to other work during the term of the Contract if the committee believes that doing so will be detrimental to the Offeror's performance.

The candidate's project experience must be listed separately and completely every time it is referenced, regardless of whether it is on the same or different pages of the form.

One of the criteria on which the State may base the award of the Contract is the quality of the Offeror's Work Team. Switching personnel after the award will not be accepted without due consideration. The Offeror must propose a Work Team that collectively meets all the requirements in this RFP. Additionally, each team member may have mandatory requirements listed in this RFP that the team member must individually meet. All candidates proposed must meet the technical experience for the candidate's position and be named.

7. Work Plan. Offeror must fully describe its current capacity, approach, methods, and specific work steps for doing the Work on this Project. The State encourages responses that demonstrate a thorough understanding of the nature of the Project and what the Contractor must do to complete the Project satisfactorily. To this end, the Offeror must submit for this section of the Proposal the Project plan that will be used to create a consistent, coherent management plan of action that will be used to guide the Project. The Project plan should include detail sufficient to give the State an understanding of the Offeror's knowledge and approach, including Gantt charts documenting the successful completion of all of the deliverables to complete the Project.

The Work Plan must demonstrate an understanding of the requirements of the project as described in Attachment One Part One Work Requirements. Describe the methodologies, processes and procedures it will utilize in the implementation and production of the Scope of Work. Provide a comprehensive Work Plan that gives ample description and detail as to how it proposes to accomplish this project and what resources are necessary to meet the deliverables.

The State seeks insightful responses that describe proven state-of-the-art methods. Recommended solutions should demonstrate that the Offeror would be prepared to immediately undertake and successfully complete the required tasks. The Offeror's Work Plan should clearly and specifically identify key personnel assignments. (NOTE: The staffing plan should be consistent with the Work Plan).

Additionally, the Offeror should address potential problem areas, recommended solutions to the problem areas, and any assumptions used in developing those solutions.

8. Support Requirements. The Offeror must describe the support it wants from the State other than what the State has offered in this RFP. Specifically, the Offeror should address the following:
- a. Nature and extent of State support required in terms of staff roles, percentage of time available, etc.;
  - b. Assistance from State staff and the experience/qualification level required; and
  - c. Other support requirements.

The State may not be able or willing to provide the additional support the Offeror lists in this part of its Proposal. The Offeror must therefore indicate whether its request for additional support is a requirement for its performance. If any part

of the list is a requirement, the State may reject the Offeror's Proposal if the State is unwilling or unable to meet the requirements.

9. Conflict of Interest Statement. Each Proposal must include a statement indicating whether the Offeror or any people that may work on the Project through the Offeror have a possible conflict of interest (e.g., employed by the state of Ohio, etc.) and, if so, the nature of that conflict. The State has the right to reject a Proposal in which a conflict is disclosed or cancel the Contract if any interest is later discovered that could give the appearance of a conflict.
10. Assumptions. The Offeror must provide a comprehensive listing of any and all of the assumptions that were made in preparing the proposal. If any assumption is unacceptable to the State, it may be cause for rejection of the Proposal. No assumptions shall be included regarding negotiation, [RFP Terms and Conditions](#), and requirements.
11. Proof of Insurance. In this section, the Offeror must provide the certificate of insurance required by the Part Two of the [RFP General Terms & Conditions](#). The policy may be written on an occurrence or claims made basis.
12. Payment Address. The Offeror must provide the address to which payments to the Offeror will be sent.
13. Contract Performance. The Offeror must complete Attachment Seven, Offeror Performance Form.
14. W-9 Form and Vendor Information Form. The Offeror must complete Federal Form W-9, Request for Taxpayer Identification Number and Certification form and the Vendor Information Form (OBM-5657) in their entirety. At least one (1) original of each form (signed in blue ink) must be submitted in the "original" copy of the Proposal. All other copies of the Proposal may contain duplicates of these completed forms. If a subsidiary company is involved, Offerors must have an original W-9 and OBM-5657 for both the parent and subsidiary companies. These documents and directions can be found on the OBM Web site under the heading "Vendor Forms" at <http://www.ohiosharedservices.ohio.gov/Vendors.aspx>

The form requires either a Standard Industrial Classification (SIC) code or a North American Industry Classification System (NAICS) code. These codes can be found at: [http://www.osha.gov/pls/imis/sic\\_manual.html](http://www.osha.gov/pls/imis/sic_manual.html) for the SIC codes or <http://www.census.gov/eos/www/naics/> for the NAICS codes. Offeror shall follow instructions to determine the proper code.

15. Declaration Regarding Material Assistance/Non-assistance to a Terrorist Organization (DMA). The Offeror being awarded this Contract must be registered with the Ohio Business Gateway (OBG) at <http://obg.ohio.gov> to file for DMA pre-certification; if you are not already registered you must:
  - a. Register with the Ohio Business Gateway (OBG) at:  
<http://obg.ohio.gov>
  - b. Review the Terrorist Exclusion List at:  
[http://www.publicsafety.ohio.gov/links/terrorist\\_exclusion\\_list.pdf](http://www.publicsafety.ohio.gov/links/terrorist_exclusion_list.pdf)
  - c. Complete the Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Organization (DMA) form at:  
<http://www.publicsafety.ohio.gov/links/HLS0038.pdf>

Submit a hardcopy of this completed form with your RFP response. You must then return to the OBG and complete the form for on-line submission under "Electronic Filing." It is important that you submit the DMA form on-line at OBG and in hardcopy with the Proposal.

Failure to complete the certification may result in the Offeror being deemed not responsive and/or may invalidate any Contract award. If not submitted with the proposal response, the Offeror will have seven (7) calendar days, after notification, to submit the form.

16. Affirmative Action. Before a contract can be awarded or renewed, an Affirmative Action Program Verification Form must be completed using:

<http://das.ohio.gov/Divisions/EqualOpportunity/AffirmativeActionProgramVerification/tabid/133/Default.aspx>.

Approved Affirmative Action Plans can be found by going to the Equal Opportunity Department's Web site:

<http://eodreporting.oit.ohio.gov/searchAffirmativeAction.aspx>

Copies of approved Affirmative Action plans shall be supplied by the Offeror as part of its Proposal or inclusion of an attestation to the fact that the Offeror has completed the process and is pending approval by the EOD office.

17. Banning the Expenditure of Public Funds on Offshore Services. The Offeror must complete the Contractor/Subcontractor Affirmation and Disclosure form (Attachment Eight) to abide with Executive Order 2010-009S issued by the Governor of Ohio, affirming no services of the Contractor or its subcontractors under this Contract will be performed outside the United States.

During the performance of this Contract, the Offeror must not change the location(s) of the country where the services are performed, change the location(s) of the country where the data are maintained, or made available without express written authorization of the Department of Administrative Services.

18. Cost Summary Form. The Cost Summary Form (Attachment Ten) must be submitted with the Offeror's Proposal. The Offeror's total cost for the entire Project must be represented as the firm fixed price, for a not-to-exceed fiscal year cost. Offerors shall provide a comprehensive cost analysis; this cost must include all ancillary costs. All costs for furnishing the services must be included in the Cost Proposals as requested. No mention of or reference to, the Cost Proposals may be made in responses to the general, technical, performance, or support requirements of this RFP.

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. The awarded contractor must hold the accepted prices and/or costs for the entire contract period. No price change shall be effective without prior written consent from DAS, OPS.

NOTE: Offeror's should ensure Cost Proposals are submitted separately from the Technical Proposals, as indicated the Proposal Submittal paragraph of this RFP (see Part Three). This information should not be included in the Technical Proposal.

The State shall not be liable for any costs the Offeror does not identify in its Proposal.

ATTACHMENT THREE  
CONTRACT

This Contract, which results from RFP CSP904911, entitled Ohio Performance Assessment Pilot Program (RttT), is between the state of Ohio, through the Department of Administrative Services, Office of Procurement Services, on behalf of the Ohio Department of Education (ODE) (the "State") and

\_\_\_\_\_  
(the "Contractor").

If this RFP results in a contract award, the Contract will consist of this RFP including all attachments, written addenda to this RFP, the Contractor's 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 change orders issued under the Contract. The form of the Contract is this one (1) page attachment to the RFP, which incorporates by reference all the documents identified above. The general terms and conditions for the Contract are contained in the following link: [RFP Terms and Conditions](#). If there are conflicting provisions between the documents that make up the Contract, the order of precedence for the documents is as follows:

1. This RFP, as amended;
2. The documents and materials incorporated by reference in the RFP;
3. The Contractor's Proposal, as amended, clarified, and accepted by the State; and
4. The documents and materials incorporated by reference in the Contractor's Proposal.

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

This Contract has an effective date of the later of June 30, 2011 or the occurrence of all conditions precedent specified in the [General Terms and Conditions](#).

**IN WITNESS WHEREOF**, the parties have executed this Contract as of the dates below.

_____ (Contractor)	Department of Administrative Services _____ (State of Ohio Agency)
_____ (Signature)	_____ (Signature)
_____ (Printed Name)	Robert Blair _____ (Printed Name)
_____ (Title)	Director, Department of Administrative Services _____ (Title)
_____ (Date)	_____ (Date)

ATTACHMENT FOUR  
OFFEROR PROFILE FORM

Offeror's Legal Name:	Address:	
Phone Number:	Fax Number:	E-mail Address:
Home Office Location:	Date Established:	Ownership:
Firm Leadership:	Number of Employees:	Number of Employees Directly involved in Tasks Directly Related to the Work:
Additional Background Information:		

ATTACHMENT FIVE  
OFFEROR REFERENCES

Three (3) professional references who have received services from the Offeror in the past five (5) years

Company Name:		Contact Name:	
Address:		Phone Number:	
		E-Mail Address:	
Project Name:	Beginning Date of Project: (Month/Year)	Ending Date of Project: (Month/Year)	
Description of project size, complexity and the Offeror's role in this project.			

Company Name:		Contact Name:	
Address:		Phone Number:	
		E-Mail Address:	
Project Name:	Beginning Date of Project: (Month/Year)	Ending Date of Project: (Month/Year)	
Description of project size, complexity and the Offeror's role in this project.			

Company Name:		Contact Name:	
Address:		Phone Number:	
		E-Mail Address:	
Project Name:	Beginning Date of Project: (Month/Year)	Ending Date of Project: (Month/Year)	
Description of project size, complexity and the Offeror's role in this project.			

ATTACHMENT SIX  
OFFEROR'S CANDIDATE FORM

Candidate's Name: \_\_\_\_\_

Candidate's Proposed Position: \_\_\_\_\_

Three (3) professional references who have received services from the candidate in the past five (5) years

Company Name:	Contact Name:	
Address:	Phone Number: E-mail:	
Project Name:	Beginning Date of Project: Month/Year	Ending Date of Project: Month/Year
Description of project size, complexity, and the candidate's role in this project.		
Company Name:	Contact Name:	
Address:	Phone Number: E-mail:	
Project Name:	Beginning Date of Project: Month/Year	Ending Date of Project: Month/Year
Description of project size, complexity, and the candidate's role in this project.		
Company Name:	Contact Name:	
Address:	Phone Number: E-mail:	
Project Name:	Beginning Date of Project: Month/Year	Ending Date of Project: Month/Year
Description of project size, complexity, and the candidate's role in this project.		

ATTACHMENT SEVEN  
OFFEROR PERFORMANCE FORM

The Offeror must provide the following information for this section for the past seven (7) years. Please indicate yes or no in each column.

Yes/No	Description
	The Offeror has had a contract terminated for default or cause. If so, the Offeror must submit full details, including the other party's name, address, and telephone number.
	The Offeror has been assessed any penalties in excess of five thousand dollars (\$5,000), including liquidated damages, under any of its existing or past contracts with any organization (including any governmental entity). If so, the Offeror must provide complete details, including the name of the other organization, the reason for the penalty, and the penalty amount for each incident.
	The Offeror was the subject of any governmental action limiting the right of the Offeror to do business with that entity or any other governmental entity.
	Has trading in the stock of the company ever been suspended? If so provide the date(s) and explanation(s).
	The Offeror, any officer of the Offeror, or any owner of a twenty percent (20%) interest or greater in the Offeror has filed for bankruptcy, reorganization, a debt arrangement, moratorium, or any proceeding under any bankruptcy or insolvency law, or any dissolution or liquidation proceeding.
	The Offeror, any officer of the Offeror, or any owner with a twenty percent (20%) interest or greater in the Offeror has been convicted of a felony or is currently under indictment on any felony charge.

If the answer to any item above is affirmative, the Offeror must provide complete details about the matter. While an affirmative answer to any of these items will not automatically disqualify an Offeror from consideration, at the sole discretion of the State, such an answer and a review of the background details may result in a rejection of the Offeror's proposal. The State will make this decision based on its determination of the seriousness of the matter, the matter's possible impact on the Offeror's performance on the project, and the best interests of the State.

ATTACHMENT EIGHT  
CONTRACTOR / SUBCONTRACTOR AFFIRMATION AND DISCLOSURE

By the signature affixed to this response, the Offeror affirms, understands and will abide by the requirements of Executive Order 2010-09S issued by the Governor of Ohio. If awarded a contract, the Offeror becomes the Contractor and affirms that both the Contractor and any of its subcontractors shall perform no services requested under this Contract outside of the United States. The Executive Order is available at the following Web site:  
(<http://procure.ohio.gov/pdf/EO2010-09S.pdf>).

The Offeror shall provide all the name(s) and location(s) where services under this Contract will be performed in the spaces provided below or by attachment. Failure to provide this information as part of the response will deem the Offeror not responsive and no further consideration will be given to the response. The Offeror's Proposal will not be considered. If the Offeror will not be using subcontractors, indicate "Not Applicable" in the appropriate spaces.

1. Principal location of business of Contractor:

\_\_\_\_\_  
(Address) (City, State, Zip)

Name/Principal location of business of subcontractor(s):

\_\_\_\_\_  
(Name) (Address, City, State, Zip)

\_\_\_\_\_  
(Name) (Address, City, State, Zip)

2. Location where services will be performed by Contractor:

\_\_\_\_\_  
(Address) (City, State, Zip)

Name/Location where services will be performed by subcontractor(s):

\_\_\_\_\_  
(Name) (Address, City, State, Zip)

\_\_\_\_\_  
(Name) (Address, City, State, Zip)

3. Location where state data will be stored, accessed, tested, maintained or backed-up, by Contractor:

\_\_\_\_\_  
(Address) (Address, City, State, Zip)

Name/Location(s) where state data will be stored, accessed, tested, maintained or backed-up by subcontractor(s):

\_\_\_\_\_  
(Name) (Address, City, State, Zip)

4. Location where services to be performed will be changed or shifted by Contractor:

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address, City, State, Zip)

Name/Location(s) where services will be changed or shifted to be performed by subcontractor(s):

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address, City, State, Zip)

ATTACHMENT NINE  
SHIPPING LABELS

**ORIGINAL – Technical Proposal**

**CSP904911 – OPAPP (RttT)**  
**Department of Administrative Services**  
**Office of State Procurement - Bid Desk**  
**4200 Surface Road**  
**Columbus, OH 43228-1395**

**ORIGINAL – Cost Proposal**

**CSP904911 – OPAPP (RttT)**

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

**COPY \_\_\_ of \_\_\_ – Technical Proposal**

**CSP904911 – OPAPP (RttT)**  
**Department of Administrative Services**  
**Office of State Procurement - Bid Desk**  
**4200 Surface Road**  
**Columbus, OH 43228-1395**

**COPY \_\_\_ of \_\_\_ – Cost Proposal**

**CSP904911 – OPAPP (RttT)**  
**Department of Administrative Services**  
**Office of State Procurement - Bid Desk**  
**4200 Surface Road**  
**Columbus, OH 43228-1395**

ATTACHMENT TEN  
COST SUMMARY FORM

CSP904911 - The Ohio Performance Assessment Pilot Program

UNSPSC CATEGORY:

80000000 (Mgmt. & Bus. Prof. & Admin. Svcs.)

80100000 (Mgmt. Advisory Svcs.)

86000000 (Ed. & Training Svcs.)

DESCRIPTION	DELIVERABLES	COST
Stage 1 (anticipated completion 12/31/11):	<p>Work with ODE Leadership to implement pilot:</p> <ul style="list-style-type: none"> <li>• Develop schedule for Stages 1 and 2 with ODE.</li> <li>• Work with ODE to prepare professional development for Cohort 1 and Cohort 2 for Stages 1 and 2.</li> </ul> <p>Communicate with Pilot Participants:</p> <ul style="list-style-type: none"> <li>• Communicate schedules for Stages 1 and 2 with all participants from Cohorts 1 and 2.</li> </ul> <p>Task Development:</p> <ul style="list-style-type: none"> <li>• Develop tasks for Stage 2 implementation and complete review process of tasks developed (number of tasks to be developed listed in Table 4).</li> <li>• Make all necessary changes to developed tasks.</li> </ul> <p>External Committees:</p> <ul style="list-style-type: none"> <li>• Assemble high school external review committees.</li> <li>• Secure locations and hold sessions for review of items developed for Stage 2 implementation.</li> </ul> <p>Professional Development:</p> <ul style="list-style-type: none"> <li>• Secure locations for professional development sessions.</li> <li>• Deliver professional development for Stage 1 to Cohorts 1 and 2 (8 hrs and 64 hrs, respectively) to all participants (teachers, coaches, administrators, higher ed Education and Content experts).</li> </ul> <p>Scoring:</p> <ul style="list-style-type: none"> <li>• Benchmark student papers for ELA short task for Cohort 1.</li> <li>• Hold scoring session with ELA teachers in Cohort 1.</li> </ul>	\$
Stage 2 (anticipated completion 6/30/12):	<p>Work with ODE Leadership to implement pilot:</p> <ul style="list-style-type: none"> <li>• Work with ODE to develop schedule for Stages 3 and 4.</li> <li>• Work with ODE to prepare professional development for Stages 3 and 4.</li> </ul> <p>Communicate with Pilot Participants:</p> <ul style="list-style-type: none"> <li>• Communicate schedule for Stage 2 with all participants (including coaches and higher ed experts) from all cohorts.</li> </ul> <p>Task Development:</p> <ul style="list-style-type: none"> <li>• Develop tasks for Stage 3 implementation (both Cohort 2 and Cohort 3 -- number of tasks to be developed listed in Table 4).</li> <li>• Complete review process of tasks.</li> </ul> <p>External Committees:</p> <ul style="list-style-type: none"> <li>• Assemble elementary school external review committees, secure locations and hold sessions for review of items developed for Stage 3 implementation.</li> <li>• Assemble range finding committees for high school.</li> <li>• Secure locations and hold range finding committee meetings.</li> </ul> <p>Professional Development:</p> <ul style="list-style-type: none"> <li>• Secure locations for Stage 2 to Cohorts 1, 2 and 3 (8 hrs, 32 hrs, and 64 hrs, respectively).</li> <li>• Deliver professional development for Stage 2 to all cohorts.</li> </ul> <p>Scoring:</p> <ul style="list-style-type: none"> <li>• Secure locations for review of scoring practices and training for scoring.</li> <li>• Score short assessment tasks implemented in Stage 2.</li> </ul>	\$

DESCRIPTION	DELIVERABLES	COST
Stage 3 (anticipated completion 12/31/12):	Work with ODE Leadership to implement pilot: <ul style="list-style-type: none"> <li>• Work with ODE to finalize PD for Stage 4.</li> </ul>	\$
	Communicate with Pilot Participants: <ul style="list-style-type: none"> <li>• Communicate schedule for Stage 3 with all participants (including coaches and higher ed experts).</li> </ul>	
	Task Development: <ul style="list-style-type: none"> <li>• Develop tasks for Stage 4 implementation (both Cohort 2 and Cohort 3 – number of tasks to be developed listed in Table 4).</li> <li>• Complete review process of tasks developed for Stage 4 implementation.</li> <li>• Make all necessary changes to developed tasks.</li> </ul>	
	External Committees: <ul style="list-style-type: none"> <li>• Secure locations for review of items developed for Stage 4 implementation.</li> <li>• Hold sessions for review of items developed for Stage 4 implementation.</li> <li>• Secure locations for range finding committee meetings.</li> <li>• Hold range finding committee meetings.</li> </ul>	
	Professional Development: <ul style="list-style-type: none"> <li>• Secure locations and deliver professional development for Stage 3 to Cohorts 2 and 3 (32 hrs and 64 hrs, respectively).</li> </ul>	
	Scoring: <ul style="list-style-type: none"> <li>• Secure locations for review of scoring practices and training for scoring.</li> <li>• Begin training for regional moderation panels (16 hrs).</li> </ul>	
Stage 4 (anticipated completion 6/30/13):	Work with ODE Leadership to implement pilot: <ul style="list-style-type: none"> <li>• Work with ODE to prepare schedule and professional development for Stages 5 and 6.</li> </ul>	\$
	Communicate with Pilot Participants: <ul style="list-style-type: none"> <li>• Communicate schedule for Stage 4 with all participants (including coaches and higher ed experts).</li> </ul>	
	Task Development: <ul style="list-style-type: none"> <li>• Develop tasks for Stage 5 implementation (both Cohorts 2 and 3, number of tasks to be developed listed in Table 4).</li> <li>• Complete review process of tasks developed for Stage 5.</li> </ul>	
	External Committees: <ul style="list-style-type: none"> <li>• Secure locations and hold sessions for review of items developed for Stage 5 implementation.</li> <li>• Secure locations and hold range finding committee meetings.</li> </ul>	
	Professional Development: <ul style="list-style-type: none"> <li>• Secure locations for professional development for Stage 4 to Cohorts 2 and 3 (32 hrs each).</li> <li>• Deliver professional development for Stage 4 to Cohorts 2 and 3 (32 hrs each).</li> </ul>	
	Scoring: <ul style="list-style-type: none"> <li>• Secure locations for review of scoring practices and training for scoring.</li> <li>• Hold panel meetings for review of scoring practices and training for scoring.</li> </ul>	

DESCRIPTION	DELIVERABLES	COST
Stage 5 (anticipated completion 12/31/13):	Work with ODE Leadership to implement pilot: <ul style="list-style-type: none"> <li>• Work with ODE to finalize PD for Stage 6.</li> </ul>	\$
	Communicate with Pilot Participants: <ul style="list-style-type: none"> <li>• Communicate schedule for Stage 5 with all participants (including coaches and higher ed experts).</li> </ul>	
	Task Development: <ul style="list-style-type: none"> <li>• Develop tasks for Stage 6 implementation (Cohort 3 only – number of tasks listed in Table 4).</li> <li>• Complete review process of tasks developed.</li> <li>• Make all necessary changes to developed tasks.</li> </ul>	
	External Committees: <ul style="list-style-type: none"> <li>• Secure locations for review of items developed for Stage 6 implementation.</li> <li>• Hold sessions for review of items developed for Stage 6 implementation.</li> <li>• Secure locations for range finding committee meetings.</li> <li>• Hold range finding committee meetings.</li> </ul>	
	Professional Development: <ul style="list-style-type: none"> <li>• Secure locations for professional development for Stage 6 to Cohorts 2 and 3 (16 hrs and 32 hrs, respectively).</li> <li>• Deliver professional development for Stage 6 to Cohorts 2 and 3 (16 hrs and 32 hrs, respectively).</li> </ul>	
	Scoring: <ul style="list-style-type: none"> <li>• Secure locations for review of scoring practices and training for scoring.</li> <li>• Hold panel meetings for review of scoring practices and training for scoring.</li> <li>• Continue training for regional moderation panels (16 hrs).</li> </ul>	
Stage 6 (anticipated completion 6/30/14):	Communicate with Pilot Participants: <ul style="list-style-type: none"> <li>• Communicate schedule for Stage 6 with all participants (including coaches and higher ed experts).</li> </ul>	\$
	External Committees: <ul style="list-style-type: none"> <li>• Secure locations and hold range finding committee meetings.</li> </ul>	
	Professional Development: <ul style="list-style-type: none"> <li>• Secure locations and deliver professional development for Stage 6 to Cohort 3 (16 hrs).</li> </ul>	
	Scoring: <ul style="list-style-type: none"> <li>• Secure locations and hold panel meetings for review of scoring practices and training for scoring.</li> <li>• Complete training for regional moderation panels (16 hrs).</li> </ul>	
<u>NOT-TO-EXCEED TOTAL PROJECT COST*</u>		\$

\* The Not-to-Exceed Total Project Cost shall be the sum of the respective stage's not-to-exceed cost, and includes fiscal years 2011 – 2015.

All costs must be in U.S. Dollars.

The State will not be responsible for any costs not identified. There will be no additional reimbursement for travel or other related expenses.

SUPPLEMENT ONE  
SUPPLEMENTAL TERMS AND CONDITIONS FOR PROJECTS FUNDED IN WHOLE OR IN PART WITH MONEYS FROM  
THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA)

The guidance template for subcontractors and subgrantees can be found at the following URL address:

[http://procure.ohio.gov/pdf/ARRA\\_SUPPLEMENTAL%20TERM%20DOC.pdf](http://procure.ohio.gov/pdf/ARRA_SUPPLEMENTAL%20TERM%20DOC.pdf)